



Rialtas na hÉireann
Government of Ireland

Revision of the Food Information to Consumers Regulation – Stakeholder Event

Post-Event Booklet

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Introduction

The Food Information to Consumers (FIC) Regulation

Regulation (EC) No. 1169/2011 on the provision of food information to consumers (the FIC Regulation) is EU food safety legislation which establishes the general principles, requirements and responsibilities governing food information, and in particular food labelling. It provides the basis to assure a high level of consumer protection in relation to food information; ensuring consumers are not misled and supporting informed choices. The FIC Regulation is responsible for the familiar elements on a food package, including, among other things, the list of ingredients, the nutrient declaration and the best before/use by date.

In Ireland, the Department of Health has legislative responsibility for the FIC Regulation. The Regulation is enforced in Ireland by the Food Safety Authority of Ireland and its official agencies.

Revision of the FIC Regulation

In Q4 2022, the European Commission will publish a legislative proposal to revise specific elements of the FIC Regulation, under both the *Farm to Fork Strategy*¹ and *Europe's Beating Cancer Plan*². Under the Farm to Fork Strategy (launched in May 2020), the Commission will:

1. Propose introduction of a harmonised mandatory front-of-pack nutrition labelling scheme;
2. Propose setting of nutrient profiles to restrict the use of health and nutrition claims to promote foods products which are high in fat, sugar and salt;
3. Consider proposing extension of mandatory origin or provenance indications to certain products (taking into consideration the impact on the Single Market); and
4. Propose a revision of the EU rules on date marking ('use by' and 'best before').

Under Europe's Beating Cancer Plan, launched in February 2021, the Commission will propose to remove the current exemption within the FIC Regulation so that alcoholic beverages will be required to include a list of ingredients and nutrition declaration on their packaging, in the same manner as is currently required for other food products.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0381>

² https://ec.europa.eu/health/system/files/2022-02/eu_cancer-plan_en_0.pdf

Development of an Irish position on the proposed changes

The Irish Government is developing a policy position on the European Commission's food labelling package, on the basis of comprehensive and balanced engagement across sectors both within and outside Government, and with a strong evidence base to support the options favoured in this position.

The Department of Health is coordinating this work and is working closely with the Department of Agriculture, Food & the Marine, the Department of the Environment, Climate and Communications and the Department of Enterprise, Trade and Employment, as well as relevant agencies under the remit of all four Departments.

In Q1 2021, the Food Safety Authority of Ireland hosted a public consultation on behalf of the Department of Health calling for views and feedback on these proposals to revise the FIC Regulation. The report compiled on the submissions to that consultation is available online³.

On 12 May 2022, a stakeholder engagement event was held to gather views from stakeholders on the European Commission's proposals, and on the potential opportunities and impacts.

The event was held virtually and was chaired by Dr Pamela Byrne, CEO of the Food Safety Authority of Ireland.

³ <https://www.gov.ie/en/publication/061f9-report-on-the-public-consultation-on-labelling-of-pre-packed-foods/>

Attendees

Stakeholders were invited from the health interests, environmental, consumer interests, agricultural, food production and retail sectors. The following organisations attended:

Organisation Name
Alcohol Action Ireland
Association for the Study of Obesity on the Island of Ireland
Bodywhys
Bord Bia
Cais - Association of Irish Farmhouse Cheesemakers
Dairy Industry Ireland
Department of Agriculture, Food and the Marine
Department of Enterprise, Trade and Employment
Department of the Environment, Climate and Communications
Department of Foreign Affairs
Department of Health
Drinks Ireland
Dunnes Stores
Enterprise Ireland
Environmental Health Association Ireland
Environmental Protection Agency
Food Drink Ireland
Food Safety Authority of Ireland
FoodCloud
Irish Cancer Society
Irish Coalition of Patients Living with Obesity
Irish Cooperative Organisation Society
Irish Creamery Milk Suppliers Association
Irish Distillers Association
Irish Environmental Network
Irish Farmers Association
Irish Heart Foundation
Irish Nutrition and Dietetic Institute
Irish Universities Nutrition Alliance
Irish Coalition for People Living with Obesity
Lidl
Meat Industry Ireland
Musgrave
Ornua
Teagasc - Prepared Consumer Foods Centre
VOICE Ireland

Agenda

Note that recordings of the two group sessions are available online⁴.

10.00-10.40 – Opening and first group session

10.00-10.05: Welcome from the Chair, Dr Pamela Byrne, CEO of the Food Safety Authority of Ireland

10.05-10.10: Welcome address from Minister of State for Public Health, Well Being and National Drugs Strategy, Frank Feighan T.D.

10.10-10.20: Presentation on the FIC Revision package – Louise Kissane, Head of the Department of Health's Food & Environmental Health Unit

10.20-10.40: Policy overviews from panellists from the following Departments:

- Department of Health;
- Department of Agriculture, Food and the Marine;
- Department of the Environment, Climate and Communications; and
- Department of Enterprise, Trade and Employment.

10.40-12.00: Breakout sessions

1. Discussion on front-of-pack nutrition labelling and the setting of nutrient profiles;
2. Discussion on origin labelling and date marking;
3. Discussion on alcohol labelling.

12.00-12.15: Comfort break

⁴ <https://www.gov.ie/en/publication/6b865-the-food-information-to-consumers-fic-regulation/>

12.15-13.30: Final group session and closing

12.15-12.30: Rapporteur summaries of key themes from the breakout sessions

12.30-12.50: Panel discussion of key themes from the breakout sessions

12:50-13.15: Final forum comments (2-minute slots for stakeholder interventions)

13.15-13.20: Chair closes the event

Group Session 1

Welcome from the Chair, Dr Pamela Byrne, CEO of the Food Safety Authority of Ireland

Good morning.

My name is Dr. Pamela Byrne and I am the CEO of the Food Safety Authority of Ireland. I have the honour of guiding you all through this very important stakeholder consultation event on the revision of the Food Information to the Consumer Regulation. In Q4 2022, the European Commission will publish a legislative proposal to revise specific elements of its food labelling legislation. This is part of the Commission's *Farm to Fork Strategy* and *Europe's Beating Cancer Plan*.

This will be the most significant change to food labelling regulations since the introduction of Regulation 1169/2011, also known as the Food Information to Consumers Regulation or 'FIC', which came into effect in 2014.

Food labelling continues to be one of the highest areas of interest for industry and consumers as evidenced by the:

Level of uptake and interest in FSAI labelling training, webinars and resources;

Questions, queries, representations and complaints from consumers and industry; and

Food alerts and incidents that have a labelling problem associated with them.

All of which illustrate the importance, complexity and challenges associated with compliance with food labelling.

With the above in mind, I am delighted to welcome you all here today to this very significant event – the first national stakeholder event on food labelling.

The fact that this event is being held today highlights the importance of food labelling to policy makers at Government level, to the FSAI in the protection of consumers' health and interest, to you, the stakeholders in Ireland's food system – your input today will be invaluable to contributing to the development of Ireland's national policy position.

The revision of the labelling legislation represents a huge opportunity for all stakeholders, and I will touch on a couple of these opportunities in a moment. My hope today is that you will all consider, not alone the challenges, but the opportunities that Ireland has to inform the future direction of regulation in this important area. Your voice is critical, so I encourage you to use today's breakout sessions to share your views. Let me highlight a few of these opportunities:

So what are the benefits for the consumer?

The FIC regulation must pursue a high level of protection of consumers' health and interests by providing a basis for consumers to make informed choices.

Consumers have the right to clear and accurate information about the food they purchase and obviously need information to meet their dietary needs.

Through food labelling, the provision of clear information to allow consumers to choose healthier options and to have all the relevant information at hand will benefit their overall health and support our collective transition towards sustainable diets.

We know that all consumers do not fully understand the 'best before date' on food products. So this revision allows us to address this, but any proposed changes to the presentation and expression of date marking on labels needs to demonstrably improve consumer understanding across the EU. In achieving greater understanding of this, consumers will be supporting a significant reduction in food waste leading to a more a sustainable food system nationally and globally.

In respect of origin labelling, currently under FIC, origin labelling is only required where its absence misleads the consumer. The revision of FIC provides a welcome opportunity for a consistent approach to be established which again provides the consumer with more informed choice.

So what are the Opportunities for Industry?

The harmonisation of origin labelling will provide a level playing field for Irish food exports by removing the inconsistencies of different MS national legislation whilst providing increased opportunities for Irish consumers both at home and abroad to identify and value Irish food – its provenance, its quality and most importantly its safety.

These opportunities also include greater ability to improve consumer awareness and satisfy consumer demands for healthier food products and in so doing enhance the competitiveness of healthier food options.

A key function of FIC is to better serve the consumer through clearer communication through the establishment of nutrient profiles. This would prevent improper positive messaging being made on foods which have an overall un-healthy profile. Those businesses that have invested in reformulation will benefit from this.

Opportunities also include an ability to meet consumer demand for sustainable, environmentally friendly products and ingredients.

All of the above will be important in achieving the sustainable development goals.

And finally, what will be the Role of the FSAI and Regulators?

The FIC revision provides a significant opportunity to bring clarity and consistency to this area of regulation which will in turn support fair and proportionate regulation. This can only be beneficial to both industry and regulators alike.

The FSAI and the official agencies will continually seek opportunities for compliance building collaborations with industry and with-it improving Consumer awareness to support healthier and better-informed consumers.

The FSAI is hosting this event on behalf of Department of Health. We are honoured to welcome Minister Feighan to address the event along with senior officials from the Departments of Agriculture, Food and the Marine, Enterprise, Trade and Employment; and Environment, Climate and Communications. Before we kick off today's event, I would like to give a quick overview of the running order for this morning's session.

First, we will hear from Minister of State for Public Health, Well-being and National Drugs Strategy, Frank Feighan T.D, then Louise Kissane, Head of the Department of Health's Food & Environmental Health Unit will provide a presentation on the FIC Revision package.

Next, we will receive four departmental overviews; from Tom James, Department of Health; then Angela Robinson, Department of Agriculture, Food and the Marine; Brian Quirke, Department of the Environment, Climate and Communications; and Thomas Murray, Department of Enterprise, Trade and Employment.

At 10.40, we will look for your feedback via stakeholder breakout sessions.

I would now like to invite Frank Feighan T.D., Minister of State for Public Health, Well Being and National Drugs Strategy to formally launch today's stakeholder event.

Welcome address from Minister of State for Public Health, Well Being and National Drugs Strategy, Frank Feighan T.D.

Good morning, everyone.

As Minister with responsibility for Public Health and Wellbeing in the Department of Health, I am delighted to launch this very important stakeholder event today.

As you are aware, in the latter part of this year, the European Commission will publish a draft legislative proposal to revise specific elements of “the Food Information to Consumers Regulation”, often referred to as the FIC Regulation. The purpose of the revision is to better inform consumers so they can make informed decisions in support of a healthy and sustainable diet and in support of a reduction in food waste.

The Regulation is being revised in respect of five elements, four of which are being revised under the EU Farm to Fork Strategy, the agri-food component of the European Green Deal, and one under Europe’s Beating Cancer Plan. These will all be discussed in more detail later today, both in the various contributions from our panellists and in the breakout sessions.

The Department of Health has legislative responsibility for the FIC Regulation in Ireland and in this regard is coordinating a cross-governmental approach to this process. The Department is working closely with the Department of Agriculture, Food and the Marine, the Department of the Environment, Climate and Communications and the Department of Enterprise, Trade and Employment, as well as relevant agencies under the remit of these Departments. Today’s event is very important in this regard as it allows you, the stakeholders, to express your views on the proposed revision options, including the opportunities and challenges these changes may present for your sector.

I welcome the proposal to review the Food Information to Consumers Regulation. This revision offers the potential to support a range of goals regarding public health nutrition and environmental sustainability. However, this revision also raises a number of complex issues, which we need to reflect on.

A priority of mine and Government is the improved health and wellbeing of our whole population. This is reflected in the Department’s Obesity Policy and Action Plan, the Roadmap for food product reformulation in Ireland and the National Cancer Strategy.

One of the actions in the Obesity Policy and Action Plan is to agree food industry reformulation targets – this is a great example of how we can make improvements to the wider environment to help address the increase in the rate of non-communicable diseases. A fundamental principle of this Plan is that every sector of society must play its part in combatting obesity.

The proposed FIC revisions can play a part in this by providing additional information to consumers on the packaging of food products.

That said, I am conscious of the implications some of the proposed changes may have for trade, which is vitally important in maintaining Ireland's economy.

We must also be conscious of the impact of Brexit. The Withdrawal Agreement and the Protocol on Ireland/Northern Ireland shields the all-island economy from the negative impacts of Brexit. The regulatory harmony it provides protects cross-border supply chains and production processes. However, it is worth highlighting Ireland's unique position in terms of the complexities of the connections between the Irish and UK markets. Many businesses in Ireland and the UK treat both countries as a single business unit and use a single label for products sold into both markets. Therefore, the prospect of a divergence in labelling requirements between the EU and the UK may present particular challenges for Irish businesses and consumers.

I note that these, along with a range of other relevant topics, will be discussed in more detail during the breakout sessions later this morning. These sessions will provide you with an opportunity to express the views and concerns that your sector may have in relation to the proposed FIC revisions. The breakout sessions will also allow you to consider what opportunities the proposed revisions may afford to the Irish consumer and the Irish food sector.

Any solutions identified will need to be in line with Government policies and consideration must be given to achieving proportionality across all sectors. In striving for such proportionality, there will need to be give and take on all our parts, including for example considerations on health benefits, whether labelling should be mandatory or voluntary, the need for transition periods and supports for businesses, etc. Changes made now can make a big difference to our health later in life.

I look forward to hearing the outcome of today's deliberations, which will feed into the positions that Ireland will in due course present for negotiation with the twenty-six other Member States.

In conclusion, I want to thank all who have made this event happen, including our Chair, Dr Pamela Byrne, our panellists and especially you, the stakeholders, who have shared your time and expertise by participating.

Thank you.

Breakout Session 1: Front-of-pack nutrition labelling and setting of nutrient profiles

Background

PUBLIC HEALTH CONTEXT

The *Healthy Ireland Framework 2013-2025*⁵ is the national cross-governmental framework for improving health and wellbeing and reducing chronic disease. The implementation of the Healthy Ireland Framework is co-ordinated by Department of Health. Published in 2021, the *Healthy Ireland in the Health Service Progress Report 2015-2020*⁶ notes:

“The growing rate of chronic disease represents the greatest risk to the sustainable provision of health and social care services in Ireland in the future. Prevention is the most cost-effective way to maintain the health of the population in a sustainable manner, creating healthy populations that benefit everyone.”

Some pertinent statistics from the report:

- 1.07 million people over 18 years of age currently have one or more chronic diseases;
- 49% of Irish people over 50 have one chronic disease and 18% have more than one;
- There is a 4% increase in chronic disease each year; and
- 76% of deaths are attributable to chronic disease.

OVERWEIGHT AND OBESITY

Obesity is a progressive, chronic and complex disease affecting all ages and genders. Overweight and obesity are linked to many chronic non-communicable diseases. The association between obesity and heart disease, cancers, type 2 diabetes, mental ill-health, respiratory problems and musculoskeletal conditions are well established.

Regarding cancer, studies from the International Agency for Research on Cancer (IARC) and the World Cancer Research Fund indicate that keeping a healthy body weight (a body weight less than 25kg/m²) decreases the risk of at least 13 types of cancer, including mouth, pharynx and larynx cancers, oesophageal cancer, stomach cancer, pancreatic cancer, gallbladder cancer, liver cancer, colorectal cancer, breast cancer (postmenopausal), ovarian cancer, endometrial cancer, prostate cancer, kidney cancer^{7 8}.

⁵ <https://www.hse.ie/eng/services/publications/corporate/hienglish.pdf>

⁶ <https://www.hse.ie/eng/about/who/healthwellbeing/healthy-ireland/publications/healthy-ireland-in-the-health-service-progress-report-2015-2020.pdf>

⁷ Wild CP, Weiderpass E, Stewart BW, editors (2020). World Cancer Report: Cancer Research for Cancer Prevention. Lyon, France: International Agency for Research on Cancer.

⁸ World Cancer Research Fund/American Institute for Cancer Research. Continuous Update Project Expert Report 2018. Body fatness and weight gain and the risk of cancer.

In Ireland approximately 1,060 new cancers are linked to overweight or obesity. This accounts for 5% of all cancers in Ireland⁹.

Overweight and obesity are one of the major public health issues in Ireland. At least one in five children aged 5 years¹⁰ and at least one in four young people aged 17-18 years are living with overweight or obesity¹¹. It is also estimated that 60% of adults in Ireland are living with overweight and obesity - this has been relatively stable since 2015¹². Individuals living in deprived areas are more likely than those living in affluent areas to have overweight or obesity.

The aim of primary prevention of overweight and obesity (and other non-communicable diseases) is to prevent these conditions from developing. Common population-level primary prevention strategies address the food environment (taxation and limiting advertising of certain food and drink products, food labelling, calories on menus), the physical activity environment (affordable physical activity options, improving the built environment) and addressing social determinants of health.

To help to combat this multi-faceted societal issue, the Department of Health developed *A Healthy Weight for Ireland: Obesity Policy and Action Plan 2016-2025*¹³ under the overall Healthy Ireland Framework. The actions under the Obesity Policy and Action Plan are grouped under 'Ten Steps Forward' to be taken to prevent overweight and obesity (Figure 1).

⁹ National Cancer Registry Ireland (2020) Modifiable risk factors and cancer in Ireland.

¹⁰ ESRI (2017): <https://www.esri.ie/system/files/media/file-uploads/2017-11/SUSTAT63.pdf>

¹¹ ESRI (2019): <https://www.esri.ie/system/files/publications/BKMNEXT397.pdf>

¹² Healthy Ireland Survey (2019): <https://assets.gov.ie/41141/e5d6fea3a59a4720b081893e11fe299e.pdf>

¹³ <https://www.gov.ie/en/publication/c778a9-a-healthy-weight-for-ireland-obesity-policy-and-action-plan-2016-202/>



Figure 1: Ten Steps Forward from the Obesity Policy and Action Plan 2016.

CURRENT DIETARY GUIDELINES AND POPULATION EXPOSURE TO HIGH FAT, SALT AND SUGAR (HFSS) FOOD PRODUCTS

As noted in *A Roadmap for Food Product Reformulation in Ireland*¹⁴, “while the exact composition of a diversified, balanced and healthy diet will vary depending on individual characteristics, including age, gender, lifestyle and degree of physical activity, the basic principles of what constitutes a healthy diet are now well defined. (Figure 2)”

¹⁴ <https://assets.gov.ie/206207/c921f454-a94f-4f8f-a021-4e3de140463a.pdf>



Figure 2: Current Nutritional Targets for the Irish Population aged 5 years and over. Taken from "A Roadmap for Food Product Reformulation in Ireland".

However, findings from national nutrition surveys indicate that the majority of the Irish population are not currently meeting these dietary guidelines¹⁵. Based on the 2017 Global Burden of Disease study, poor diet is now the single most important modifiable contributor to premature death and chronic disease in Ireland ¹⁶.

Foods and drinks that are high in fat, salt and sugar such as sugar-sweetened beverages, cakes, biscuits, confectionery and crisps are currently staples in the Irish diet. Among children aged 5-12 years and teenagers (13-17 years), these foods contribute between 18% to 23% of energy from food and 22% to 26% of total fat intake. Based on the findings from the Healthy Ireland Survey 2018 it is estimated that 60% of the population aged 15 years or older eat high fat, salt and sugar (HFSS) snacks every day with a majority (42% of the population) eating 6 or more portions daily. In addition, 14% of the population consume sugar sweetened drinks daily, rising to 22% of those aged 15 to 24¹⁵.

¹⁵ Healthy Ireland Survey 2018 Healthy Ireland Survey 2018 Technical Report. Ipsos MRBI.

¹⁶ GBD 2017 Diet Collaborators. Health effects of dietary risks in 195 countries, 1990–2017: a systematic analysis for the Global Burden of Disease Study 2017. Lancet 2019; 393: 1958–72.

FOOD PRODUCT REFORMULATION

Dietary advice provided by the Department of Health seeks to provide people with information to make healthier food choices. However, it is difficult for people to change their behaviour in an environment that promotes obesity through physical, economic, social and other factors. Unless the nutritional content of foods sold in Ireland improves, healthy eating targets will remain unattainable for most Irish people, leading to significant rates of non-communicable disease.

The publication of *A Roadmap for Food Product Reformulation in Ireland* fulfils a key objective of the Obesity Policy and Action Plan by setting targets for the reduction of the levels of saturated fats, sugar, salt and calories in processed foods. It is also a 2021 action in the Sláintecare Healthy Ireland Strategic Action Plan 2021-2025.

The establishment of a Food Reformulation Task Force, situated within the Food Safety Authority of Ireland, will enable a detailed and category-level engagement with the food industry to help drive progress towards the targets in the Roadmap. It provides a dedicated resource to work with all levels of industry to ensure progress and to address the difficulties that may arise in the highly technical process of reformulation.

MENTAL HEALTH AND EATING DISORDERS

Eating disorders have the highest mortality and morbidity of all mental health difficulties, predominantly caused by the physical consequences of starvation. A person can develop an eating disorder for any number of reasons, and there is usually an accumulation of 'risk factors' which are identified as the person progresses through treatment.

Eating disorders often have a very high cost for individuals and their families, as well as for health services and broader society, when they are not treated or are not treated effectively. An estimated 188,895 Irish people will experience an eating disorder at some point in their lives (based on epidemiological projections). Approximately 1,757 new eating disorder cases develop each year in Ireland in the 10-49 age group, with females being at least 2-3 times more likely than males to develop an eating disorder. There has been an increase in numbers of people with eating disorders of all ages continuing to present across health care settings since the onset of the pandemic. This is a similar pattern being reported internationally. The Government has committed to enhancing specialist eating disorder services across Ireland, including improved access and shorter waiting lists.

THE IRISH AGRI-FOOD SECTOR

The Department of Agriculture, Food and the Marine's *Food Vision 2030 - A World Leader in Sustainable Food Systems*¹⁷ notes "Food security and nutrition is a key component of Sustainable Food Systems, particularly the link between food and health. It is important that the sector contributes to ensuring coherent food and health policies that deliver improved health outcomes." Mission 3, Action 3 addresses the European Commission's proposals (more information on these below), stating "Ireland should contribute positively towards this workstream, ensuring that labelling initiatives are evidence based, contribute to greater consumer awareness and knowledge, but without creating unintended barriers to trade."

¹⁷ <https://www.gov.ie/en/publication/c73a3-food-vision-2030-a-world-leader-in-sustainable-food-systems/>

What is Front-of-Pack Nutrition Labelling?

Regulation (EU) 1169/2011 on food information to consumers (FIC) requires a nutrition declaration on the label of most prepacked foods, which is almost always displayed on the back of a package. There are detailed requirements for the information that must be declared, and in what order.

The FIC Regulation also permits a voluntary repetition of certain information from the mandatory nutrient declaration on the 'principal field of vision' of the label, i.e. the front-of-pack (FoP). The following may be repeated - the energy value alone or the energy value together with the amounts of fat, saturates, sugars and salt.

Additional forms of expression and/or presentation of the nutrition declaration (e.g. graphical forms or symbols) can be used by food business operators or recommended by Member States, provided that they comply with the criteria set out in FIC. There are a number of schemes already being used by some Member States. Some of these include Reference Intakes labelling (developed by industry), Nutri-Score and the Keyhole logo. In the UK, the Multiple Traffic Light scheme is currently the government's recommended scheme. However, the UK Government is in the process of reviewing policy in this area and may propose changes in the future.

The table below provides an overview of the types of schemes which are currently in use in Europe. In addition to the schemes pictured within, Italy has launched its own nutrient-specific, reference intake-based labelling scheme, called Nutrinform Battery.


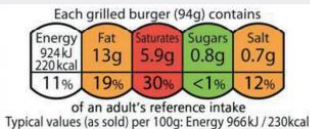


FOP labelling scheme	Country	Examples of visuals	Key features
Reference Intakes label, previously referred to as Guideline Daily Amounts (GDA)	EU-wide		<ul style="list-style-type: none"> Nutrition information (energy plus four nutrients: fat, saturated fat, sugars, and salt) in grams and as percentage of daily reference intake. Portion as main reference base; 100 g or 100 ml as reference base for additional energy info. Typically monochrome.
UK Multiple Traffic Lights (MTL) (hybrid scheme)	UK		<ul style="list-style-type: none"> Nutrition information (energy plus four nutrients fat, saturated fat, sugars, and salt) in grams and as percentage of daily reference intake. Traffic light colour coding indicating low (green), medium (amber, and high (red) levels of the nutrients stated. Portion as reference base for numerical information; 100 g or 100 ml as reference base for colour coding⁷ and additional energy info. Separate colour thresholds for solid foods and beverages.
Keyhole	Sweden, Norway, Denmark, Iceland, Lithuania, North Macedonia		<ul style="list-style-type: none"> Endorsement scheme ('positive logo') based on threshold levels for energy and various nutrients depending on product category. Foods labelled with the Keyhole contain less sugars and salt, more fibre and wholegrain and healthier or less fat than food products of the same type not carrying the symbol. Some food categories are not permitted to carry the logo (e.g. sweet and savoury snacks). Reference base typically is 100 g or 100 ml.
Nutri-Score (previously called 5-Colour Nutrition Label (5-CNL))	France, Belgium (Spain, Germany, the Netherlands Luxembourg)		<ul style="list-style-type: none"> Graphic scale that divides the nutritional score into 5 classes (expressed by a colour and a letter), based on the food's content of energy, sugars, saturated fat, sodium, 'fruit, vegetables, and nuts', fibre, and protein. Algorithm based on UK Food Standards Agency (FSA) Nutrient Profiling system; minor modifications to FSA score algorithm for cheese, added fats, and beverages to improve consistency between Nutri-Score classification and French nutritional recommendations.⁵ Reference base for the nutritional score calculation is 100 g or 100 ml.

Table 1: Overview of front-of-pack labelling schemes used in Europe¹⁸.

¹⁸ Storcksdieck Genannt Bonsmann, S., Marandola, G., Ciriolo, E., Van Bavel, R. and Wollgast, J. (2020): Front-of-pack nutrition labelling schemes: a comprehensive review. Publications Office of the European Union, Luxembourg, 2020, ISBN 978-92-76-08970-4, doi:10.2760/180167, JRC113586.

NUTRIENT PROFILES

Nutrient profiling is the science of classifying or ranking foods depending on their nutrient composition. Front-of-pack nutrition labels which calculate the score of a food, either by colour or symbol, are based on nutrient profiles e.g. the Keyhole symbol, Nutri-Score etc. Nutrient profiles are intended to help consumers make food choices in support of a dietary pattern that meets their needs.

Nutrient profiles are calculated by using maximum values for restricted nutrients such as sugar and saturated fat and sometimes use minimum values for promoted nutrients such as fibre. Based on these calculations, the food is given an overall score or permitted to display a symbol. The nutrient profiling criteria can be applicable to all food categories or be specific to different food categories. As such, an explanation of the nutrient profiling criteria does not appear on labels. As well as informing front-of-pack nutrition labelling, nutrient profiles have a variety of applications, including regulation of food marketing to children.

European Commission proposals

In recognition of the role of diet in the rising burden of non-communicable diseases across the EU, the European Commission's *Farm to Fork Strategy* and *Europe's Beating Cancer Plan* contain, among other things, a commitment to propose harmonised, mandatory front-of-pack nutrition labelling to give consumers the information they need to help support them to make choices in line with their dietary needs. The setting of nutrient profiles to classify foods according to their nutritional content will also be proposed in order to restrict the use of nutrition or health claims to promote products which are high in fat, sugar and salt. Both initiatives can help stimulate food product reformulation. Therefore, the proposals seek to address aspects of the food environment, as well as supporting consumers to identify food products that best meet their needs, as part of an overall dietary pattern.

Accompanying the Farm to Fork Strategy, the European Commission adopted a report on front-of-pack nutrition labelling¹⁹. In its impact assessment, the Commission is considering the following types of harmonised FoP nutrition labelling schemes:

¹⁹ https://ec.europa.eu/food/system/files/2020-05/labelling-nutrition_fop-report-2020-207_en.pdf


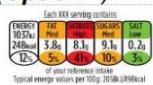


Nutrient-specific labels - examples		Summary labels - examples	
Numerical (Option 1)	Colour-coded (Option 2)	Endorsement logos (Option 3)	Graded indicators (Option 4)
			

Figure 3: Options proposed for harmonised, mandatory front-of-pack nutrition labelling. Taken from European Commission inception impact assessment.²⁰

1. Nutrient-specific labels – numerical (e.g. Reference Intakes, Nutrinform Battery);
2. Nutrient-specific labels – colour-coded (e.g. Multiple Traffic Light labelling);
3. Summary labels – endorsement logos (e.g. Keyhole);
4. Summary labels – graded indicators (e.g. Nutri-Score).

Options 2 to 4 are evaluative/interpretive labels, which require a nutrient profile to be set to classify the nutritional content of a food product. For option 1, the setting of a nutrient profile model separate from the non-interpretative front-of-pack nutrition label is being assessed. In this scenario, the nutrient profile would still be used to restrict the use of health and nutrition claims to market foods that are high and fat, sugar and/or salt.

Key themes from the breakout discussion on front-of-pack nutrition labelling and nutrient profiles

It was noted by some participants that interpretive, colour-coded summary labelling schemes could be beneficial for consumers in terms of the simplicity of the message and ease for consumers to compare between different products of the same product category. However, there was concern from some health interest groups about evaluative, colour-coded labelling schemes, as such labels may encourage black-and-white thinking in relation to individual foods, which would be of particular concern for those experiencing or recovering from eating disorders. The possibility that those living with overweight, or obesity may experience stigma while purchasing or consuming foods with a less favourable label was also identified as a risk by certain health interest groups.

Some of the participants representing industry were not supportive of interpretive, colour-coded summary labelling schemes, for a number of reasons including cost, potential divergence with the UK and complexities of calculation.

There was agreement among the group that nutrient profile(s) introduced should be based on the National Food-Based Dietary Guidelines and that Ireland should consider what type of scheme it believes is the most appropriate, which may or may not be one of the existing schemes.

²⁰ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12749-Food-labelling-revision-of-rules-on-information-provided-to-consumers_en

It was agreed that legislation alone will not be enough to improve public health and that education of consumers and improving health literacy will also be very important. It was noted by some that businesses, particularly small and micro businesses, will also need support regarding implementation.

It was noted that the level of interlinkage between the Irish and UK markets is a very important factor to be considered, as divergence in labelling requirements may raise issues regarding cost and product choice.

The majority of the attendees of this breakout session agreed that a mandatory scheme would be of most benefit for the consumer as this would mean all relevant products would carry the harmonised information. However, attendees representing businesses noted that the introduction of a mandatory scheme could lead to a reduction in the variety of products on the Irish market and could lead to higher costs for consumers. It was also highlighted that a mandatory scheme could be particularly difficult for small producers to implement. Dairy industry representatives noted that a voluntary scheme may be preferable as existing schemes don't fully take into account the nutritional value of certain dairy products.

It was noted by some industry representatives that consideration should be given as to whether food for special medical purposes (FSMP) should be exempted from a FOPNL scheme.

Although some favoured providing front-of-pack nutritional information per 100g/ml on the basis it allows for comparability between products, there was consensus that at present consumers can struggle to relate information based on 100g/ml to portion sizes, therefore, using portion sizes may be clearer for the consumer.

It was acknowledged that health claims can be confusing for the consumer, with some requesting that it should be easier to make complaints about health claims.

Breakout Session 2: Origin Labelling and Date Marking

Origin Labelling

Background

AGRI-FOOD EXPORTS AND THE IRISH ECONOMY

The *Annual Review and Outlook for Agriculture, Food and the Marine 2021*²¹ notes that the agri-food sector is Ireland’s oldest and largest indigenous exporting sector, accounting for over 6% of GNI and 9% of exports in value terms in 2020. Dairy produce and beef were the most important export categories by value in 2020 (Figure 4).

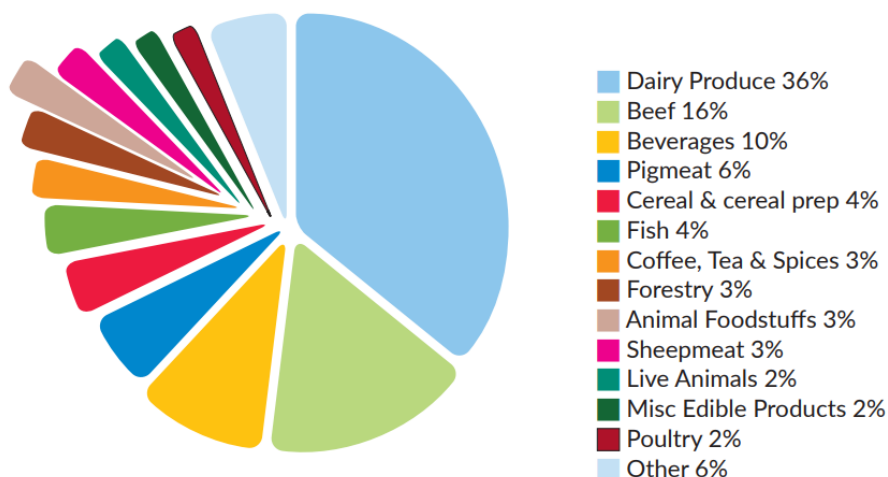


Figure 4: Value-based breakdown of 2020 agri-food export categories. Figure taken from the *Annual Review and Outlook for Agriculture, Food and the Marine 2021*. Data source: CSO.

Bord Bia’s *Export Performance and Prospects Report 2021-2022*²² notes that in 2021, the EU remains the largest single regional destination for Irish food and drink exports and remains amongst the highest paying in most product categories. 33% of Ireland’s food and drink exports, with a value of €4.5 billion, went to the EU27 in 2021 (and 33% to the UK). The report also notes concerns regarding the potential impact of “gastro-nationalism” on Irish agri-food exports.

²¹ <https://assets.gov.ie/205578/26036bdf-d590-43b2-a361-327dd9ea2afb.pdf>

²² <https://www.bordbia.ie/industry/insights/publications/performance-and-prospects-2022/>

WHAT IS ORIGIN LABELLING?

In general, under the existing FIC Regulation, origin labelling on food labels is required where its absence might mislead consumers. For example, certain colour schemes or emblems and graphics used on food labels could mislead the consumer into thinking a prepacked food product has originated in a certain country or has a certain place of provenance. However, mandatory rules on the origin labelling of certain food products have been adopted, including Commission Regulation 1825/2000 on the labelling of beef and beef products, Commission Implementing Regulation 1337/2013 for pork, lamb, poultry, goat and Commission Implementing Regulation 2018/775 on the primary ingredient of a food.

European Commission Proposals – Origin Labelling

Under the Farm to Fork Strategy, the European Commission is considering proposing the extension of origin indication for certain food categories to allow consumers to better identify the origin of food and facilitate consumers' informed and sustainable food choices.

The European Commission inception impact assessment states that the following foods were identified as those in which consumers have particular interest to know where they are coming from:

- milk and milk used as an ingredient,
- meat used as an ingredient,
- rabbit and game meat,
- rice,
- durum wheat used in pasta,
- potatoes and
- tomato used in certain tomato products.

The Commission impact assessment is reviewing mandatory origin indication provided at different geographical levels:

1. EU/Non-EU;
2. Member State/country;
3. Regional (e.g. labelling the town, country, region); or
4. A combination of different levels.

Date Marking

Background

WHAT IS DATE MARKING?

The current FIC Regulation requires that the shelf-life of a foodstuff be indicated by either a date of minimum durability ('best before') or a 'use by' date. The Regulation does not stipulate which type of mark must be used for a given food product category – the food business operator (usually the manufacturer or producer) attaching a label to a food product is responsible for deciding whether a 'best before' or 'use by' date is required for declaration of its shelf-life. This decision should be taken when the food manufacturer or producer is developing their food safety management system, based on HACCP principles, for the product. Both the FSAI and the European Food Safety Authority have produced guidance to assist businesses with this decision-making process.

Typically, a 'best before' date is used for food products such as canned, dried, ambient, frozen foods etc. Many foods that are past their 'best before' date may be safe to eat, but their quality may have deteriorated.

In the case of foods, which from a microbiological point of view, are highly perishable and are therefore likely after a short period to constitute an immediate danger to human health, the date of minimum durability must be replaced by the 'use by' date. The 'use by' is the date up until which a food may be used safely i.e. consumed, cooked or processed, once it has been stored correctly.

A shelf-life declaration i.e. a 'best before' or 'use by' date, is currently not required for several foods, including:

- Fresh fruit and vegetables,
- Wines
- Beverages containing 10 % or more by volume of alcohol
- Solid sugar
- Non-pre-packaged foods

FOOD WASTE

Food waste is a global problem that has environmental, social and economic consequences. Worldwide, more than one quarter of food that is produced is wasted. Growing, processing and transporting food all use significant amounts of resources; food waste contributes 8-10% of total anthropogenic greenhouse gas emissions.

According to the Environmental Protection Agency (EPA), Ireland generated approximately 1.1 million tonnes of food waste in 2019 (figures exclude food waste generated from primary production). Approximately half of food waste came from the processing and manufacturing sector, with the remainder arising from:

- households (254,745 tonnes);
- restaurants and food service (236,530 tonnes);
- retail and distribution (111,297 tonnes).

The urgency and challenge of addressing food waste is highlighted at international level through Goal 12.3 of the UN Sustainable Development Goals:

“By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses.”

DATE MARKING AND FOOD WASTE GENERATION

Misunderstanding and misuse of date marking ('use by' and 'best before' dates) leads to food waste.

A study carried out by the European Commission in 2018 estimates that up to 10% of the 88 million tonnes of food waste generated annually in the EU are linked to date marking²³. The individual research studies reviewed by the Commission's study indicate issues with consumer understanding of date marking, though the extent of this varies between studies, likely due to varying research methods used and populations studied.

In Ireland, an EPA National Food Waste Attitudes Survey in 2020²⁴ found that around 3 in 4 people understand what 'use by' means and about 9 in 10 understand what 'best before' means. However, passing the 'use by' (68%) and 'best before' (55%) food dates are the main reasons why people throw out food in their household.

²³ https://ec.europa.eu/food/safety/food-waste/eu-actions-against-food-waste/date-marking-and-food-waste-prevention_en

²⁴ https://www.epa.ie/media/epa-2020/monitoring-amp-assessment/circular-economy/National_Food_Waste_Attitudes_Survey.pdf

The European Commission study also found variation in use of date marking on products both within product types and across Member States:

- In some Member States, a ‘best before’ tended to be used on a given product type, while in other Member States a ‘use by’ was applied;
- Use by date marks were found on some products in absence of an apparent food safety need to do so, meaning a ‘best before’ date would be more appropriate; and
- Some food businesses were applying a date mark to products that do not require one under the FIC Regulation.

Therefore, food businesses need support to achieve best practice in date marking, and there may be reasons as to why they deliberately choose to deviate from best practice, i.e. use a date mark when none is required, or use a ‘use by’ date mark when a ‘best before’ would be sufficient for food safety.

POLICY CONTEXT

Under the Farm to Fork Strategy, the European Commission will propose legally binding targets to reduce food waste across the EU by end of 2023.

The *Waste Action Plan for a Circular Economy*²⁵, published in September 2020 by the Department of the Environment, Climate and Communications, includes a number of measures to tackle food waste in Ireland, with a key focus on food waste prevention, redistribution and infrastructure, and food waste management.

The Plan includes a commitment to work with a range of stakeholders to develop a Food Waste Prevention Roadmap that sets out a series of actions to deliver the reductions necessary to halve our food waste by 2030, meet any other related targets, and promote our transition to a circular economy. *Food Vision 2030*, the stakeholder-led 10-year strategy for the sustainable development of the agri-food sector, also includes an action to develop a National Food Waste Prevention Roadmap.

The EPA’s *National Food Waste Prevention Programme* is implemented through the *Circular Economy Programme 2021-2027*²⁶. The programme works across three core areas of: Household; Supply Chain; and Hospitality. Guidance and tips on household food waste prevention are available through the national StopFoodWaste.ie. Information and guidance to support businesses to measure and reduce food waste is available at Ireland’s Food Waste Charter. This is a national initiative that is led by the EPA²⁷.

Data collected according to the common EU food waste measurement methodology will be reported to the EU by Member States, using a specific reporting format before mid-2022. EU food waste reporting obligations will be fulfilled by the EPA.

²⁵ <https://www.gov.ie/en/publication/4221c-waste-action-plan-for-a-circular-economy/>

²⁶ <https://www.epa.ie/publications/circular-economy/resources/the-circular-economy-programme-2021-2027.php>

²⁷ <https://foodwastecharter.ie/>

A public consultation on a draft National Food Waste Prevention Roadmap closed on 28th March 2022²⁸. The Department of the Environment, Climate and Communications is now considering the submissions received with a view to publishing the National Food Waste Prevention Roadmap later in 2022.

Bord Bia's food and drink sustainability programme, Origin Green, operates on a national scale to enable the industry to set and achieve measurable sustainability targets that respect the environment and serve local communities more effectively.

Addressing the food waste challenge is a key priority for Origin Green members under their waste target within the Origin Green programme. Within their waste target, they will identify if food waste occurs in their operations, and if so will seek to integrate company-wide actions to increase food waste prevention across their operations. At the retail and food service sector, food waste is a mandatory target for all members. In 2019, awareness and action on food has continued to grow, with 31 targets set in relation to food waste.

FoodCloud works with retailers and food manufacturing businesses across Ireland, most of which are Origin Green members, with the objective of rescuing good quality food from the Irish Food Industry's supply chain. This social enterprise connects food producers, manufacturers and businesses who have surplus food with charities and community groups across Ireland, through the use of its retail app and 3 FoodCloud Hubs.

European Commission proposals on date marking

The objective of the Farm to Fork Strategy action on date marking is to help prevent consumers from unnecessarily discarding foods due to misunderstanding and/or misuse of date marking, while meeting consumers' information needs and safeguarding food safety.

²⁸ <https://www.gov.ie/en/consultation/96a04-public-consultation-on-the-draft-national-food-waste-prevention-roadmap/>

In its impact assessment, the European Commission is considering several types of possible change, including:

1. Revision of the rules of application of the 'best before' date by **extending the list of foods for which the 'best before' date is not required** or potentially removing it from non-perishable foods with long shelf-life such as pasta, rice, coffee, tea.
2. Revision of the rules and **abolishing the concept of 'best before' date**, keeping only the 'food safety/health' related date (currently expressed as 'use by' date).
3. **Improving the expression and presentation of date marking to express the two different types of date marking** (best before/use by) in order to better differentiate between the food safety/health and quality concepts. This could include alternative wording or graphical content, or changes in format, lay-out, or colour (e.g. traffic light labelling).

Key themes from the breakout discussion on origin labelling and date marking

COUNTRY OF ORIGIN LABELLING

There were varying views from the group on whether the proposed additional country of origin labelling should be on a voluntary or mandatory basis, some from industry noted there is already a voluntary framework in place for origin labelling.

The group noted that while consumers may be interested in origin labelling for a broader range of products, there is also some confusion with some of the terms already in use, such as 'produced for' or 'packed in', confusion also exists with regard to certain addresses on food labels. It was noted that the Farm to Fork package includes a proposal for a sustainable food labelling framework to empower consumers to make sustainable food choices and this framework should be considered when considering the proposed FIC revision. It was also noted that whilst origin labelling can be seen as a mark of quality, a locally produced product is not necessarily a more sustainable choice by default.

Some opportunities identified by the group included, origin labelling for loose meats and in meat in the food service sector, as well as examining the Australian labelling model which shows the percentage of Australian ingredients compared with imported ingredients in a given product.

Industry representatives noted that although consumers would like more origin information, it is unlikely that increased prices would be acceptable to achieve this. There were also concerns raised around potential waste of both raw materials and packaging that may result from additional origin labelling, an insufficient transition period or supply chain issues. The possibility of UK divergence, which would mean additional costs in supply chains, was identified as a challenge by those representing industry.

Concerns were held by the group that extension of mandatory COOL requirements could lead to consumer behaviour becoming more protectionist and nationalistic leading to an undermining of the single market principles.

It was noted that any new origin labelling scheme should be accompanied by consumer education to ensure that consumers fully understand the information provided.

DATE MARKING

There was agreement that in terms of date marking, a 'use-by' date is essential to ensure the safety of food.

A key point raised during the discussion in relation to date marking and reducing food waste is the need for further education and awareness for consumers with an emphasis on clarifying the difference between 'use by' and 'best before'.

It was highlighted that the introduction of new graphics and logos may not help to alleviate food waste, that too much information may lead to further confusion among consumers. It was also mentioned that the size of some labels may make it challenging to add the additional graphics or information. There was some support for the use of colours, such as red for 'use by' and green or orange for 'best before'.

The group discussed the fact that businesses often deviate from required date marking, for example using 'best before' dates on exempt products or using other expressions such as 'sell by' or 'display until' dates. It was remarked that retailers can use 'best before' dates to facilitate stock rotation and ensure the quality of the food is acceptable. One potential solution offered for 'sell by' dates was the use of a QR code which would mean the information was only available to store workers. There was discussion on the potential removal of the 'best before' date completely to avoid consumer confusion, however, it was explained that this would make stock management difficult and is unlikely to be accepted by manufacturers.

Industry representatives indicated that there would be a need for an appropriate transition period to allow for the changes to be fully implemented and minimise waste. It was also noted that product reformulation, such as reducing sugar and salt, can also reduce the shelf life of certain products which may need to be a consideration for manufacturers.

There was consensus that any changes would need to be accompanied by a consumer education campaign to ensure that consumers understand the date marking and how to reduce waste as a result of the changes.

Session 3: Alcohol Labelling

Background

ALCOHOL CONSUMPTION IN IRELAND

Figures from the Revenue Commissioners show that in 2019 Irish people aged 15 and over drank 10.8 litres of pure alcohol per capita. This decreased slightly to 10.07 litres per capita in 2020 with the closures of on-licensed premises during that year. This corresponds to approximately 40 (700ml) bottles of vodka, 113 (750ml) bottles of wine, or 436 pints of 4.3% strength beer per adult per year.

According to the most recent (2018) consumption figures for 44 OECD countries, Ireland has the ninth highest rate of alcohol consumption per capita, and it is 13.4% higher than UK levels. One of the policy objectives of the Public Health (Alcohol) Act is to reduce consumption to a level in line with the OECD average of 9.1 litres. However, even if this objective is met, consumption levels would still be well above the estimated global average of 6.2 litres per capita.

Figures from the 2018 Health Behaviour in School-aged Children (HBSC) study indicate that 81.9% of schoolchildren have consumed their first alcoholic drink by the age of 17 years. In relation to patterns of drinking in young people, data from a global study on “Progress in adolescent health and wellbeing” published in *The Lancet* in March 2019 showed that Ireland had the third highest level of adolescent binge drinking in the world at 61% for females and 58.8% for males.

Alcohol use is the seventh leading risk factor for both deaths and disability-adjusted life years globally, and the leading risk factor among those aged 15–49 years. Recent figures from the Global Burden of Disease study indicate that in 2019 there were 1,543 deaths in Ireland attributable to alcohol, representing 4.77% of all deaths that year. The Health Research Board reports that the number of hospitalisations wholly attributable to alcohol rose by 94.8% between 1995 and 2018, from 9,420 to 18,348. The cost of alcohol-related discharges from hospital was €1.5 billion in 2012.

ALCOHOL AND CANCER RISK

Alcohol is a carcinogen, meaning it causes cancer in humans²⁹. Alcohol is one of the most preventable causes of cancer after smoking.

Drinking alcohol increases the risk of at least 7 types of cancer (mouth, throat, larynx, oesophagus, female breast, liver and colorectal)³⁰.

²⁹ International Agency for Research on Cancer. (2010). Alcohol Consumption and Ethyl Carbamate IARC Monographs on the Evaluation of Carcinogenic Risks to Humans Volume 96. Lyon: IARC.

³⁰ World Cancer Research Fund/American Institute for Cancer Research. Continuous Update Project Expert Report 2018. Alcoholic drinks and the risk of cancer.

Alcohol caused approximately 1000 cases of cancer in Ireland in 2020³¹.

The risk for alcohol-related cancers increases mainly with the amount of pure alcohol the person consumes, not the type of drink or how they drink. All types of alcoholic drinks are a cause of cancer, i.e. there is no one type (beer, wine, spirits) that has a higher risk for causing cancer.

NATIONAL POLICY CONTEXT - PUBLIC HEALTH (ALCOHOL) ACT 2018

The Public Health (Alcohol) Act 2018 was developed to address the harmful consumption of alcohol in Ireland. It was enacted on 17 October 2018 and to date 26 of its 31 provisions have been commenced.

The main provisions of the Act are:

- minimum unit pricing;
- **health labelling of alcohol products;**
- the regulation of advertising and marketing of alcohol products;
- the regulation of sponsorship;
- separation and reduced visibility of alcohol products in mixed trading outlets;
- and the regulation of the sale and supply of alcohol in certain circumstances.

The primary policy objectives of the Act are:

- to reduce alcohol consumption to 9.1 litres of pure alcohol per person per annum,
- to delay the initiation of alcohol consumption by children and young people,
- to reduce the harms caused by the misuse of alcohol, and
- to regulate the supply and price of alcohol in order to minimise the possibility and incidence of alcohol related harm;

³¹ Rungay H, Shield K, Charvat H, Ferrari P, Sornpaisarn B, Obot I, Islami F, Lemmens VEPP, Rehm J, Soerjomataram I. Global burden of cancer in 2020 attributable to alcohol consumption: a population-based study. *Lancet Oncol.* 2021 Aug;22(8):1071-1080. doi: 10.1016/S1470-2045(21)00279-5. PMID: 34270924; PMCID: PMC8324483

These objectives were developed in recognition that alcohol causes harms to health, significant costs to the Exchequer and that alcohol consumption in Ireland remains high. The principles guiding the objectives are that the harms of alcohol make it unlike other grocery products, that consumers should be able to make informed choices about their drinking and that it is time that children and young people's relationship with alcohol was addressed.

Section 12 of the Act empowers the Minister for Health to make Regulations on the labelling of alcohol products. It provides that labels on alcohol products must contain:

- The quantity of grams of alcohol contained in the product.
- The number of calories contained in the alcohol product.
- Several health warnings, including:
 - A warning to inform people of the danger of alcohol consumption.
 - A warning to inform people of the danger of alcohol consumption when pregnant.
 - A warning to inform people of the direct link between alcohol and fatal cancer.
- A link to the HSE website which gives information on alcohol and related harms.

As well as the labels on alcohol products themselves, those selling alcohol, whether in pubs or in off-licences, will be required to display a notice containing the same health warnings, the link to the public health website, and indicating to the customer that the alcohol and calorie content of alcohol products is on the products themselves or, for all 'poured drinks', can be found in a document, which must be made available upon request. Similar requirements will apply to those selling alcohol products online.

The purpose of the provisions is to ensure that consumers can make informed choices about their drinking. The provision of consumer information on food and drink is not new; the only change is that these provisions are now being applied to alcohol products in order to provide consumers with important information about the contents and health risks associated with the product they are purchasing.

Regulations under this section are being developed and will be submitted to the European Commission for it to assess whether they are in alignment with Single Market principles. There will be a three-year lead-in time after the Regulations are made and the relevant section of the Act is commenced in order to give businesses time to prepare for and to make the necessary changes to comply with the new requirements.

European Commission proposals - Europe's Beating Cancer Plan

On 3 February 2021 the European Commission adopted Europe's Beating Cancer Plan. The plan announced that the European Commission will propose to remove the current exemption within the FIC Regulation so that alcoholic beverages will be required to include a list of ingredients and nutrition declaration on their packaging, in the same manner as is currently required for other food products. The European Commission has published an inception impact assessment and is now working on a full impact assessment.

The possible changes being considered include:

1. Revise the rules for all alcoholic beverages: revoke the exemption and allow certain indications off-label, for example via use of a QR code; and
2. Revise the rules for all alcoholic beverages: revoke the exemption and require all indications on-label.

Under Europe's Beating Cancer Plan, the European Commission has also proposed to bring forward draft legislation to require inclusion of health warnings on the labels of alcoholic beverages. However, this proposal will not be included in the legislative proposal to revise the FIC Regulation, which will be published in Q4 this year.

REFORMS TO THE CAP REGULATION

The reformed Common Agricultural Policy (CAP), adopted in December 2021 and applicable from January 2023, aligns with the European Green Deal and Farm to Fork Strategy. The amended CAP Regulations (specifically Regulation (EU) 1308/2013, amended by Regulation (EU) 2021/2117) require that the label of wine and aromatised wine products indicates the energy value of the product, as well as providing full nutrition and ingredients information either on- or off-label.

Key themes from the breakout discussion on alcohol labelling

There was agreement among participants that the provision of information to consumers would be very helpful in informing customer choice and that the current exemption should be revoked; however, there was a divergence of views on how this should be achieved. Some felt that it was imperative that all mandatory information was on-label so that consumers had this information at the time of purchase, whereas others felt a mixture of on and off label would be a better proposal as it would allow the manufacturer to provide more information.

Those representing business indicated that they were of the opinion that option 1 as proposed by the European Commission, i.e. allowing the provision of some information off-label, would be most beneficial to consumers. They noted that many consumers are making choices based on taste and these are not impulsive purchases. Industry representatives felt this option would allow for maximum information to be provided to the consumer, and for the potential to provide information in additional languages. They noted this option would also overcome potential challenges around label sizes, which are generally a standard size.

Conversely, other participants noted that alcohol-free alternatives are generally sold in similar-sized packaging as alcoholic beverages and that as there is no exemption for alcohol-free products, these products currently display the list of ingredients and nutrition declaration on the label. Therefore, these participants were of the view that including all information on-label would be feasible for alcoholic beverages.

Those in support of option 2 suggested that this option allows for the information to be freely available at time of purchase, and to stay with the product after purchase.

There was some debate on whether provision of information on websites and through QR codes would be sufficient. Those who felt it may not be, pointed to potential internet issues or lack of I.T. literacy as possible obstructions. . Those in favour of using online resources pointed to the recent use of QR codes, apps and websites by the government for COVID-19 contact tracing and certificates. There may be challenges around enforcement if online options are used, however, those representing the enforcement sector did not feel that these would be insurmountable.

There was consensus that all options would have a cost implication for businesses. It was not foreseen that there would be significantly greater costs associated either option 1 or 2. Costs envisioned included label redesign and costs of testing.

When discussing potential supports for businesses it was noted that SMEs would require a different type of support to large multinationals, although the detail around the appropriate support for each sector was not discussed. When discussing supports for businesses, those in enforcement referenced the recent changes in allergen labelling, and that lessons learned from that communication campaign could be applied to this change.

While industry representatives did indicate that low and no alcohol sales have been increasing due to changing markets, they did not envision that the proposed changes would have an impact on the market share of low and no alcohol beverages.

Reflections from the Chair, Dr Pamela Byrne, CEO of the Food Safety Authority of Ireland

As I noted in my opening address, food labelling continues to be one of the highest areas of interest for industry and consumers as evidenced by the:

- a. Level of uptake and interest in FSAI labelling training, webinars and resources;
- b. Questions, queries, representations and complaints from consumers and industry; and
- c. The high level of food alerts and food incidents that have a labelling problem associated with them and on which FSAI is required to take action.

All of the above illustrate the importance, complexity and challenges associated with building compliance with food labelling legislation.

Understanding how best to regulate this complex issue in the future has to be informed by the views of stakeholders and the FIC stakeholder consultation event provided an opportunity, through breakout sessions, for key stakeholders to raise their concerns, explain their challenges but also provide insight into opportunities and innovations that a revision of the regulation should provide.

The interventions of the four policy departments in the opening session and during the panel discussion was critical in setting the broad, as well as the more specific sectoral, context for the revision of the legislation. These policy insights importantly provided participants with a more comprehensive understanding of the development of Government policy and how the many diverse needs, expectations and objectives of these policy makers needs to be considered carefully alongside stakeholders' contributions when developing Ireland's national position that will be a key contribution during the negotiations at European level.

Some of the key messages emerging from the breakout sessions were the need to:

- Educate consumers;
- Have flexibility within the legal framework;
- A transition period towards compliance;
- Simplify the messages for consumers; and
- Ensure a balanced approach.

This event provided a significant and meaningful opportunity for key stakeholders to input into the policy making cycle. Where there are deviations from the stakeholders' concerns, policy makers should provide where possible, an explanation of that divergence. This process will be a significant change for consumers, industry, regulators and policymakers and, therefore, keeping all on board during the change will be challenging but this event was a strong start and there should be consideration given to how we move forward.

Personally, I would like to thank the Department of Health for taking this approach to what is a very important issue and also to thank the other Government departments for their important contributions. I truly believe that Ireland will have a strong negotiating position in Europe which has been fully informed through a comprehensive and detailed analysis of the potential positive and challenging aspects of this legislation. FSAI stands ready to fully participate in continuing on this journey and arriving at a point where the implementation of the legislation is feasible and will provide stronger protections for our population.
