

Ref.: BEUC-X-2019-80

10 December 2019

Subject: The consumer mission letter for health and food

Dear Commissioner Kyriakides,

I wish to congratulate you on your recent appointment as European Commissioner for Health and Food Safety on behalf of BEUC, The European Consumer Organisation, which represents 45 national consumer groups from 32 European countries. In this capacity you will oversee many areas of EU policy that directly concern all of us as consumers: ranging from food labelling and safeguards against toxic chemicals to access to safe and affordable medicines.

Over the past decades, the EU has been a strong driver of robust and ambitious protections in these areas. It is important that far-reaching health-related consumer policy continues to be developed so that consumers see how the EU can improve their daily lives.

As the European Commissioner for Health and Food Safety, you have a unique opportunity – and responsibility – to deliver solutions that benefit all EU consumers.

To support you in this important task, we would like to present you with what we believe should be your mission in responding to the concerns and interests of EU consumers.

Protecting and promoting the health of consumers: our proposals

Ensure that medicines are accessible and affordable

One of your core tasks as Commissioner will be to ensure that Europe has an adequate **supply of affordable medicines** to meet patients' needs. High prices and shortages of medicines increasingly prevent consumers around Europe from accessing the treatments they need. We believe that the EU must assume a stronger and more proactive role in developing a pan-European approach to health policy that promotes equitable access to safe, affordable and effective medicines for all EU consumers.

Through the new Horizon Europe research programme, the EU will invest heavily in the development of new medicines and treatments. We strongly encourage you, in co-operation with the new Commissioner for Innovation and Youth, to find ways to ensure public return on these investments. The EU could for example support projects that pilot alternative incentive mechanisms such as uncoupling the costs of R&D from the products' price through licensing obligations. This would help to ensure that medicines developed with EU funding are affordable for consumers.

While some new medicines are truly innovative, many others bring little or no added benefit to what is already on the market. **Health Technology Assessment** (HTA) is a useful tool for helping healthcare systems to make wiser decisions on the pricing and reimbursement of medicines. Stronger co-operation on HTA could facilitate access to effective medicines for consumers across Europe. In 2018, the European Commission put forward a proposal for a new permanent EU framework to boost co-operation among EU Member States. We urge you, in co-operation with the European Parliament and Council, to finalise the proposed regulation without delay.

An EU policy on **orphan medicinal products** is currently under review. The needs of those suffering from rare diseases can only be met through a better balance between stimulating the industry to develop medicines for rare diseases and ensuring that these medicines are affordable and accessible to patients and healthcare systems. Based on the result of this review, we look forward to exploring options with you on how such a balance can be achieved.

Medicines shortages often block consumers from timely access to the treatments they need. To address this critical concern, we call on you, in co-operation with Member States, to better define the concept of 'shortages of medicines'. Such terminology should be complemented with a legislative proposal for a standardised and transparent reporting mechanism on the causes of medicines shortages to support evidence-based policy-making.

Promote consumer trust in the safety of medical devices

As Commissioner for Health and Food Safety, you will oversee implementation of the new regulatory framework on **medical devices**. In recent years, several scandals affecting this sector have eroded consumer confidence in medical devices as well as in their supervision by competent authorities. That trust must be restored.

We encourage you, in co-operation with Member States, to develop a coordinated approach to overseeing the work of the notified bodies. Such collaboration would ensure that they apply the same high-quality standards and fulfil the same criteria in terms of impartiality, competence and transparency.

Ensure that digital healthcare benefits consumers

Health and healthcare services are rapidly changing due to **new digital technologies**. Consumers will be profoundly impacted by this transformation. Health data holds the potential to significantly advance our knowledge about disease prevention and treatment, but it also contains the most sensitive information about individuals. As such, guaranteeing data privacy, security, accuracy and the inclusion of consumer needs is imperative in order for people to benefit from the advantages offered by digital health.

We therefore look forward to collaborating with you on the creation of a European Health Data Space. We also request that you ensure that the legislative proposal for an EU approach to Artificial Intelligence announced by President von der Leyen is tailored to take the unique ethical and human aspects of health data into account.

Safe, healthy and sustainable food for European consumers: our proposals

Ensure consumers' food is safe

Consumers expect the food they purchase for themselves and their family to be safe. We call on you to pursue the work which has been initiated by your predecessor to **cut acrylamide levels in food**. We also urge you to support an **EU-wide ban on the use in food of the additive titanium dioxide (E171)**¹. Due to some uncertainties that remain over its safety, the French government decided to apply the precautionary principle and suspend E171 use in food as of January 2020. The European Commission should protect the health of European consumers and propose to extend the French measure at EU level. Finally, the European Commission should ensure a more **effective and harmonised enforcement** of EU food safety rules through food official controls.

Improve information for consumers about what they eat

The much-awaited European Commission report on simplified nutrition labelling is expected to be published in the first months of your mandate. In order to help consumers make the healthiest choice, we call on you to accompany this report with a **legislative proposal mandating the use of Nutri-Score** on the front-of-pack of all food and drinks. Evidence from research conducted in several countries shows that this is the best-performing scheme in terms of aiding consumers in the comparison of the nutritional value of foods across a range of products.

The European Commission must also **establish the long-awaited nutrient profiles** to prevent food that is high in fat, sugar or salt from bearing health claims.

2/3

¹ See [joint NGOs letter](#) to Vice-President Katainen on E171 sent in May 2019.

Consumers' expectations about food have evolved. They want to know where their food comes from, and how it was produced. Taking inspiration from the various national measures on the matter, we urge you to **table legislation requiring the mandatory labelling of the country of origin** of meat served in the catering sector, of meat used as an ingredient in processed foods, of milk and of milk used in dairy products.

Involve consumers in the 'Farm to Fork' strategy

Through their food purchasing decisions, consumers can significantly contribute to the EU's commitment to implement the Sustainable Development Goals. But for this to happen, they need **consistent, independent and trustworthy advice** on what constitutes a sustainable diet, **clear labelling** and, crucially, a food environment that makes sustainable food choices more accessible, affordable and convenient.

We look forward to **collaborating with you on the development of an integrated 'Farm to Fork' strategy** in order to ensure that this scheme has full buy-in from consumers and meets their needs and expectations. The range of potential solutions for shifting our food system onto a more sustainable path – including any potential trade-offs – must be openly discussed with consumers.

Urgently reform the EU food packaging legislation

The zero-pollution ambition announced in the Political Guidelines of President von der Leyen must address consumer exposure to the toxic chemicals migrating from food packaging. We urge you to **reform the outdated EU Food Contact Materials Regulation** by providing strict new rules on harmful chemicals in all food packaging. A reformed regulation must also ensure that Member States entrust their market surveillance authorities with the necessary powers, resources and knowledge to ensure effective enforcement.

Act against harmful endocrine disruptors

As consumers, we are all exposed to endocrine disruptors at home and at work: through the air we breathe, the food we eat, and the water we drink. As Commissioner for Health and Food Safety, you hold the important responsibility to ensure that this ubiquitous exposure is effectively reduced. Your contribution will be valuable as part of the strategy announced by President von der Leyen to protect citizens' health from environmental degradation and pollution.

At the same time, the legislative framework must be modernised to take account of the fact that consumers are never exposed to one endocrine disruptor in isolation but rather to a cocktail of many different chemicals. We look forward to collaborating with you in identifying further concrete policy solutions that will help reduce consumer exposure to these harmful chemicals.

The way forward

The proposals outlined above are only a glimpse at what needs to be done in order to protect the health and well-being of EU consumers. Please find enclosed further important recommendations that the Commission should address during its 2019-2024 mandate in order to continue delivering tangible benefits to EU consumers.

I appreciate that your agenda will be very full, but I hope that you will find the time to meet with us in the near future. I would be very interested in hearing your reaction to our proposals, and would like to discuss how the EU can respond to the concerns and interests of European consumers. My colleagues will also reach out to your member of cabinet in charge of consumer policy.

Yours faithfully,

Monique Goyens
Director General

Encl.: An EU that keeps working for consumers – [BEUC proposals for the 2019-2024 European Commission](#)