

**Subject: Temporary flexibility in the application of food labelling rules in the wake of the war in Ukraine**

Dear Ms Pelsser,

I am writing on behalf of BEUC, the European Consumer Organisation, regarding the calls by food business operators on national governments to show flexibility in the enforcement of food labelling rules because of the Russian invasion of Ukraine and its impact on the availability of certain ingredients and/or sourcing origins.

Consumer organisations recognise the supply issues faced by food manufacturers due to the exceptional circumstances and the need to swiftly substitute certain ingredients (sunflower oil notably) in product recipes. While this situation may warrant temporary flexibility in the enforcement of food labelling rules, we wish to ensure that **contingency measures on food labelling are harmonised, proportionate, and remain in place for no longer than necessary.**

Yet, feedback from our members across Europe suggests that national responses to industry calls for food labelling derogations have been **inconsistent** so far – with **concrete implications for food composition transparency, consumer information and, potentially, health.**

For already printed labels, some governments (incl. Italy<sup>1</sup>, Spain<sup>2</sup>, Ireland<sup>3</sup>) have allowed food operators to use stickers or other similar “over labelling” means (e.g. inkjet printing) to indicate to consumers which oils and/or fats have been used to replace sunflower oil, while ensuring that information about the possible presence of allergens remains accurate and available. Retailers have also been invited to draw consumers’ attention to the potential substitution of ingredients at the point of sale.

In some other countries, e.g. Denmark<sup>4</sup>, authorities have temporarily allowed food operators to exhaust stocks of already printed packaging provided that the legislation on allergen information is complied with in all cases and that there is no misleading of consumers. Only in cases where the ingredient swaps give rise to a significant change in the food quality, do Danish authorities advise that it may be necessary to use signs in the shops to inform consumers – but this is left to the appreciation of producers themselves.

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<sup>1</sup> [https://www.mise.gov.it/images/stories/normativa/Nota\\_olio\\_di\\_girasole\\_11032022.pdf](https://www.mise.gov.it/images/stories/normativa/Nota_olio_di_girasole_11032022.pdf)

<sup>2</sup> [https://www.aesan.gob.es/AECOSAN/docs/documentos/noticias/2022/report\\_20220317\\_Informacion\\_sobre\\_medidas\\_excepcionales\\_de\\_etiquetado\\_.pdf](https://www.aesan.gob.es/AECOSAN/docs/documentos/noticias/2022/report_20220317_Informacion_sobre_medidas_excepcionales_de_etiquetado_.pdf)

<sup>3</sup> [https://www.fsai.ie/Labelling\\_Challenges\\_25\\_03\\_22.html](https://www.fsai.ie/Labelling_Challenges_25_03_22.html)

<sup>4</sup> <https://www.foedevarestyrelsen.dk/Leksikon/aktuelt-om-ukraine/Sider/Forsyningsproblemer-og-maerkning-af-foedevarer.aspx>

As for packaging/labels which have not been printed yet, it appears that some governments are considering longer term derogations from the obligation to label the specific vegetable origin of refined oils and fats. Notably, Italy has proposed that manufacturers may use the generic term “vegetable oils and fats” in the list of ingredients followed by a list of the botanical origins *potentially* present in the food based on availability of supplies. BEUC’s Italian member, Altroconsumo reacted<sup>5</sup> to this move, which it said **could not only undermine consumer information, but could also affect health and nutrition**. Indeed, the nature of the oils/fats used in a product influences its nutritional characteristics and, consequently, its effects on health. For example, the amount of saturated fatty acids in a bakery product could change dramatically when switching from sunflower oil to palm oil.

Against this background, BEUC would like to know whether the European Commission is considering developing some guidance intended to national authorities with a view to **ensuring a more consistent and harmonised approach to food labelling flexibility** in the wake of the war in Ukraine. From our perspective, any labelling derogations must **uphold consumers’ right to know the composition and nutritional value of the food they buy and must be strictly limited in time**.

We thank you in advance for considering the above and remain at your disposal for any question(s) you may have.

Yours sincerely,

Camille Perrin  
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<sup>5</sup> <https://www.altroconsumo.it/alimentazione/fare-la-spesa/news/olio-di-semi-di-girasole-ucraina>