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From: General Secretariat of the Council

To: Delegations

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Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption
- Letter to the Chair of the European Parliament Committee on the Environment, Public Health and Food Safety

Following the Special Committee on Agriculture meeting of 12 February 2024 and its confirmation of the final text with a view to agreement, delegations are informed that the Presidency sent the attached letter, together with its Annex, to the Chair of the European Parliament Committee on the Environment, Public Health and Food Safety.



Council of the European Union

SGS 24 / 000822

Brussels, 12 February 2024

Mr Pascal CANFIN
Chair, Committee on the Environment, Public Health and Food Safety

Subject: Proposal for a Directive amending the breakfast directives on honey, dehydrated milk, fruit juices and on jams and jellies.

Dear Mr Canfin,

Following the informal negotiations between the representatives of the three institutions, the draft compromise text on the above-mentioned proposal was agreed today by the Special Committee on Agriculture.

I am therefore now in a position to confirm that, should the European Parliament adopt its position at first reading, in accordance with Article 294 paragraph 3 of the Treaty on the Functioning of the European Union (TFEU), in the form of the text set out in the Annex to this letter (subject to revision by the legal linguistic experts of both institutions), the Council would, in accordance with Article 294 paragraph 4 of the TFEU, approve the European Parliament's position and the act would be adopted in the wording which corresponds to the position of the European Parliament.

On behalf of the Council, I also wish to thank you for your close cooperation, which should allow us to reach agreement at first reading on this file.

Yours sincerely,

Mr Pieter LIETAER
Chair of the Special Committee for Agriculture

copy to: Mr Janusz WOJCIECHOWSKI, European Commissioner for Agriculture
Mr Alexander BERNHUBER, Rapporteur

DIRECTIVE (EU) 2024/...
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of ...

amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

After consulting the Committee of the Regions **█** ,

Acting in accordance with the ordinary legislative procedure²,

¹ OJ C [...], [...], p. [...].

² Position of the European Parliament of ... (not yet published in the Official Journal) and decision of the Council of

Whereas:

- (1) In line with the objectives set out in the Commission Communication of 11 December 2019 on ‘The European Green Deal’, the Commission adopted the Commission Communication of 20 May 2020 entitled ‘A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system’ (‘Farm to Fork Strategy’), where it announced measures for a healthier and more sustainable Union food system. Among those measures, the Commission seeks to stimulate product reformulation of foods high in sugars and facilitate the shift to healthy and sustainable diets. Furthermore, to empower consumers to make informed, healthy and sustainable food choices, the Commission also announced a possible extension of the mandatory origin or provenance indications to certain products, while fully taking into account impacts on the internal market.
- (2) Council Directive 2001/110/EC³ lays down definitions, names, common rules on composition, *quality*, and labelling requirements for honey.

³ Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12.1.2002, p. 47).

- (3) In light of the close link between the quality of honey and its origin and the need for the consumer not to be misled regarding the quality of the product, Directive 2001/110/EC lays down rules on the labelling of the origin where the honey has been harvested. In particular, Article 2(4) of that Directive requires the country or countries of origin where the honey has been harvested to be indicated on the label and provides that, if honey originates in more than one Member State or third country, the mandatory indication of the countries of origin may be replaced by one of the following, as appropriate: ‘blend of EU honeys’, ‘blend of non-EU honeys’, ‘blend of EU and non-EU honeys’. The different rules adopted on this basis by Member States may have misled consumers and may have hindered the functioning of the internal market. ■
- (4) ***Given the particular interest shown by consumers in the geographical origin of honey, in the light of the Farm to Fork Strategy’s objective of strengthening consumers in making informed choices, including on the origin of their food, and in the interest to preserve the efficient functioning of the internal market throughout the Union through a harmonisation of the labelling rules, it is appropriate to revise the rules for honey origin labelling. As a standard rule, it should be provided that the country or countries of origin should be indicated on the label together with the percentage of each origin, in the case of blends, with a tolerance of 5 % for each individual share within the blend, calculated on the basis of the operator's traceability documentation.***

- (5) *However, in order to ensure certain flexibility, Member States should be allowed to provide that, in the case of honey blends with more than four different countries of origin, it is obligatory to indicate with percentage only the four largest shares, if they together represent more than 50% of the total. The rest of the countries of origin, as the case may be, should be indicated, as required by the standard rule, in descending order. To further clarify the relationship between the standard rule and the flexibility rule, it is useful to mention that in case of more than four countries of origin where the shares of the fifth or further ones are identical to the fourth, it is not possible to indicate only the four largest shares and thus the standard rule applies.*
- (6) *In light of the reduced size of the packs containing only a single portion of honey (breakfast packs) of 30 g or less and the resulting technical difficulties, it is appropriate to allow, in the case of honey blends, that instead of the full name of the countries of origin, a standardised and internationally known code be used, namely the international standard ISO 3166 that defines internationally recognized codes of letters to refer to countries. In particular the two-letter code alpha-2 which is recommended by the International Organization for Standardization as the general-purpose code is appropriate to address the technical difficulties from the reduced packs space mentioned above.*

- (7) *The Commission coordinated control plan for honey authenticity (2015-2017) and the Commission coordinated action “From the Hives” (2021-2022) highlight that a high percentage of honey placed in the Union market is suspected of being adulterated. It is necessary to ensure that harmonised methods of analysis are available to verify that honey produced and marketed in the Union complies with Directive 2001/110/EC. Implementing powers should therefore be conferred on the Commission as regards developing such uniform methods, in accordance with Article 4(1) of that Directive. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. It is appropriate to fix a specific deadline for the exercise of those powers.*

(8) *Certain heat treatments can result in the degradation of honey constituents, in particular enzymes. Pollen is a key constituent of honey, allowing to trace its origin. In order to ensure fair commercial practices and protect consumer interests, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the criteria to determine the floral, vegetable or geographic origin of honey, and to ensure that honey that is placed on the market is compliant with the provisions of this Directive in particular to avoid enzyme deactivation or to ensure that pollen is not significantly removed. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

(9) *In order to protect consumers' interest and to limit as much as possible fraud linked to adulterated products that do not correspond to the designation of 'honey', to enable the validation of information provided about the honey's origin and quality, and to provide utmost transparency, the Commission should adopt delegated acts to introduce traceability requirements that ensure the availability of and access to essential information concerning the origin of the honey, including country of origin along the EU supply chain, from harvesting producer or importer to consumers. Therefore, harmonised traceability requirements for honeys produced and imported into the Union are necessary to enable the competent authorities of Member States to be able to trace the entire chain at least back to the first step within EU borders. Those rules should not add to the administrative burden of producers but should make it easier for consumers and the supervisory authorities to keep track of the honey's entire journey from harvesting to bottling in the Union. Therefore, through the new honey traceability requirements, honey origin and authenticity along the honey value chain should be ensured. With a view to a traceability system, and in order to elaborate the most appropriate requirements, including analysis of available digital solutions or methods, including where appropriate, a unique identifier code or similar techniques, the Commission should carry out a feasibility study.*

- (10) *In order to support the Commission with the best available technical expertise, a platform should be established. The Platform should, inter alia, provide recommendations for a Union traceability system that ensures the availability of and access to essential information on the origin of the honey or honey in a blend, including where appropriate the country of origin, the year of production and a unique producer identifier, along the EU supply chain, from the harvesting producer or importer to the consumer. It should also support the future establishment of an EU reference laboratory for honey to improve controls and detect adulteration in honey through harmonised methods, systematic testing of honey using the latest testing methods to prove the authenticity and quality of honey as laid down in the Directive.*
- (11) Council Directive 2001/112/EC⁴ lays down the essential requirements to be met regarding production, composition and labelling of fruit juices and certain similar products intended for human consumption in order to protect the interests of consumers and to enhance the free movement of those products.

⁴ Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption (OJ L 10, 12.1.2002, p. 58).

- (12) In 2012, Directive 2001/112/EC was amended by Directive 2012/12/EU of the European Parliament and of the Council⁵ to reflect the new rules on authorised ingredients, such as those pertaining to the addition of sugars, which were no longer authorised in fruit juices. In the light of this change of compositional requirements for fruit juices, the fruit juice industry was **able** to use, for one year only, a statement indicating that no fruit juices contain added sugars, in order to inform consumers and enable them to make an immediate clear distinction between fruit juices and other certain similar products in terms of the addition of sugars in the products. This short time-span proved insufficient to inform society that, following the new rules on authorised ingredients, the addition of sugars is no longer authorised in fruit juices. ***In turn, in accordance with Part II, point 2, indent 5 of Annex I, to Directive 2001/112/EC, fruit nectars containing neither added sugars nor sweeteners may bear the nutrition claim ‘with no added sugars’ or any claim likely to have the same meaning for the consumer, accompanied by the indication ‘contains naturally occurring sugars’.*** As a result, for some of the consumers and health practitioners, it is still not clear that fruit juices, contrary to fruit nectars, cannot contain added sugars. ***This may have misled consumers as research has shown that among several products with identical or very similar nutrition composition, the product with a nutrition claim would be preferred.***

⁵ ***Directive 2012/12/EU of the European Parliament and of the Council of 19 April 2012 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption (OJ L 115, 27.4.2012, p. 1).***

- (13) Therefore, considering, in particular, that consumers are increasingly aware of health concerns linked to the consumption of sugar, it is appropriate to revise the rules on the use of statements on sugar for fruit juices to allow consumers to make informed choices. It is therefore appropriate to *create a special rule* for the *voluntary use of a* statement indicating that ■ fruit juices contain *only naturally occurring* sugars.
- (14) *That statement points out characteristics that result from the definition and the authorised ingredients for fruit juices provided for in Directive 2001/112/EC. Therefore, the introduction of that statement presents truthful and accurate information to the consumers in line with the objectives stated above, namely to inform the consumers about the nutrition characteristics of the products and to make it easier to distinguish between the fruit juices on the one hand and the fruit nectars on the other hand, and to allow them to make informed choices.*

- (15) As a result of technical progress, new processing techniques have been or are being developed to entirely or partially remove naturally occurring sugars in fruit juices and fruit juices from concentrate, in order to address the growing consumer demand for products with a lower sugar content. Such products can be marketed in the Union to the extent that they comply with all relevant legislation. However, those products are obtained by applying a treatment that is not one of the authorised treatments in Part II, point 3, of Annex I to Directive 2001/112/EC and their total sugar content, known as Brix level for an aqueous solution, is lower than that of juice extracted from the fruit. As a result, they may not bear the product name ‘fruit juice’ or ‘fruit juice from concentrate’.

- (16) Such products are becoming increasingly available on the Union market. In order to facilitate the placing on the internal market of those products *and to allow for* product reformulation *and innovation and without prejudice to other applicable Union law*, a new category of products should be created for fruit juices whose naturally occurring sugars have been *reduced* while *maintaining* the other essential physical, chemical, organoleptic and nutritional characteristics *of an average type of juice from the fruit from which it comes*. These products should *be able to* bear the product name ‘reduced-sugar fruit juice’, ‘reduced-sugar fruit juice from concentrate’ *or ‘concentrated reduced sugar fruit juice’*. In order to ensure consistency with Regulation (EC) No 1924/2006 the reduction of sugar content should be at least **30%** compared to *average type of fruit juice*, fruit juice *from concentrate and concentrated reduced sugar* fruit juice from *which it comes, respectively*. It is therefore appropriate to add *these new categories* of products in Part I of Annex I to Directive 2001/112/EC as well as to lay down rules on the authorised ingredients for those products *and on the authorised treatments’ processes* and substances *in Part II of Annex I to Directive 2001/112/EC. As in the case of other types of fruit juices, the use of sweeteners or the addition of ingredients with sweetening properties should not be allowed for these new categories of products.*

- (17) In accordance with Annex I to Directive 2001/112/EC, fruit nectars may contain added sugars and/or honey. In order to support the production and marketing of fruit, while taking into account the need to stimulate product reformulation to reduce the amount of sugars present in fruit nectars, the proportion of sugars and/or honey that may be added to fruit nectars that are naturally low in acidity and palatable should be lowered.
- (18) *After the transposition of this Directive, it is for the producers of the new categories of fruit juices, namely reduced sugar fruit juice, concentrated reduced sugar fruit juice, and reduced sugar fruit juice from concentrate, to use the authorised processes in such a way that the final product meets the characteristics required by Directive 2001/112/EC. However, in order to attain of the objectives of Directive 2001/112/EC as amended by this Directive in this respect, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of setting rules regarding the physical, chemical, organoleptic and nutritional characteristics of the reduced sugar products concerned as well as the use of the authorised processes to reduce sugar. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making*. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

- (19) *In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission as regards methods of analysis to ensure compliance with the compositional characteristics of certain types of fruit juices marketed in the Union. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.*
- (20) *In light of the Green Deal and the Farm to Fork Strategy’s objective of supporting consumers in making informed choices, and in view of the consumers’ high interest in origin labelling of food, the Commission should, at the latest 36 months after the entry into force of this directive, present a report to the European Parliament and the Council, providing an assessment of the feasibility of the different possibilities of labelling of the country or countries of origin where the fruit or fruits used to manufacture fruit juice and fruit puree have been harvested, accompanied, if appropriate, by a legislative proposal.*
- (21) Part II, point 3, of Annex I to Directive 2001/112/EC regulates the authorised treatments and substances for fruit juices and certain similar products. Protein from sunflower seeds is increasingly used for direct human consumption and has demonstrated to be an efficient tool for clarification of fruit juices. In order to take into account this further progress, proteins from sunflower seeds should be added to the list of authorised treatments and substances.

(22) The juice extracted from coconuts is increasingly marketed and consumed in the Union. In accordance with Article 3(2) of Directive 2001/112/EC, the legal name of that product is ‘coconut juice’. However, the international standard reflected in the Codex General Standard for fruit juices and nectars (Codex Stan 247-2005), adopted by the Codex Alimentarius Commission during its 28th session held from 4 to 9 July 2005, indicates that the name ‘coconut water’ is a synonym of ‘coconut juice’ which is directly extracted from the coconut without expressing the coconut meat. ■ It is therefore appropriate to add ‘coconut water’ as a particular designation in Annex III to that Directive. In order to ensure that the particular designation can be easily understood by all consumers in the Union, it is appropriate to provide the possibility of using ‘coconut water’ in the official languages of the Union. In addition, as coconut juice may be obtained by reconstituting concentrated coconut juice with drinkable water, it is appropriate to define a minimum Brix level for this product in Annex V to that Directive.

- (23) Council Directive 2001/113/EC⁶ lays down the essential requirements to be met regarding production, composition and labelling of fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption.
- (24) Article 2(4) of Directive 2001/113/EC requires the mandatory labelling of sugar content on the labelling, unless a nutrition claim for sugars is made on the labelling. This requirement went further than the rules laid down in Council Directive 90/496/EEC⁷, where the inclusion of nutrition information on prepacked foods was voluntary unless a nutrition claim was made and where the nutrition claim was made for sugars, it was to include the amounts of sugar. Directive 90/496/EEC has been repealed and replaced by Regulation (EU) No 1169/2011 of the European Parliament and of the Council⁸. Pursuant to that Regulation the provision of nutrition information on packaging is now mandatory. Therefore, a specific provision on sugar labelling is no longer necessary in Directive 2001/113/EC and it is appropriate to delete it.

⁶ Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption (OJ L 10, 12.1.2002, p. 67).

⁷ Council Directive 90/496/EEC of 24 September 1990 on nutrition labelling for foodstuffs (OJ L 276, 6.10.1990, p. 40).

⁸ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

- (25) *In light of the Green Deal and the Farm to Fork Strategy’s objective of supporting consumers in making informed choices and in view of the consumers’ high interest in origin labelling of food, the Commission should, at the latest 36 months after the entry into force of this directive, present a report to the European Parliament and the Council, providing an assessment of the feasibility of the different possibilities of labelling of the country or countries of origin where the fruit or fruits used to manufacture fruit jams, jellies, marmalades and sweetened chestnut puree have been harvested, accompanied, if appropriate, by a legislative proposal.*
- (26) Part I of Annex I to Directive 2001/113/EC lays down the minimum quantity of fruit to be used in the manufacture of jam, jelly, extra jam or extra jelly. The use of the terms ‘extra jam’ and ‘extra jelly’ is reserved for products manufactured with a higher quantity of fruit compared to ‘jam’ and ‘jelly’, respectively. Part II of that Annex sets the minimum content of soluble dry matter (i.e. sugars whether naturally occurring in the fruit or added) for those products, and, in order to take into account existing national traditions in the making of fruit jams, jellies and marmalades and sweetened chestnut purée, it allows Member States to authorise a lower minimum content of soluble dry matter.

- (27) Where the quantity of fruit used to manufacture jams and jellies is increased, the amount of added sugar needed to reach the minimum content of soluble dry matter in these products is reduced. In order to stimulate the production of jams **and jellies** with an increased level of fruit content and thus support the fruit market while taking into account the need to reduce free sugar content, the minimum quantity of fruit to be used in the manufacture of **jams and jellies** laid down in Annex I to Directive 2001/113/EC should be increased. Similarly, in view of helping consumers to make better informed, healthy food choices, it is appropriate to authorise the use of the reserved names defined in Part I of that Annex for products which have a soluble dry matter content of less than 60 % but meet the conditions applying to the nutrition claim ‘reduced sugars’ laid down in the Annex to Regulation (EC) No 1924/2006 as regards reduced sugar.
- (28) Annex I to Directive 2001/113/EC restricts the term ‘marmalade’ to a particular citrus fruit mixture. However, in a number of official languages of the Union, while the legal names laid down in that Annex have been used in trade to designate the products referred to therein, the **consumers commonly use** interchangeably the terms ‘marmalade’ and ‘jam’ to refer to jams from fruits other than citrus fruits. In order to take into account **the common use by the consumers** where it is the case, **and while taking into account that the harmonised name remains ‘jam’**, Member States should be able to authorise, **on their territory**, that the term ‘marmalade’ may be used for the product name ‘jam’ **in the case of jams from fruits other than citrus fruits. Consequently**, in order to avoid consumer confusion, the term ‘citrus marmalade’ should be used across the Union for the product until now defined as ‘marmalade’ in order to distinguish the two product categories; **where the term “citrus” could be exchanged for the name of the citrus fruit(s) used.**

- (29) *In a Member State that does not avail of the option to name ‘jam’ as ‘marmalade’ because of the different domestic term commonly used by the consumers of that Member State, it should be possible to continue, on its territory, and in the case of citrus marmalade that is manufactured from three or more fruits, to allow to name it as ‘mixed fruit marmalade’ or ‘[x] fruits marmalade’ where x is the number of fruits used.* It is therefore appropriate to revise that Directive accordingly as regards the product *names ‘marmalade’ and ‘citrus marmalade’.*
- (30) Annex II to that Directive lists the additional ingredients that may be used in the manufacturing of products covered by the Directive. Citrus fruit juice may be used as acidifying agent in jam, extra jam, jelly and extra jelly obtained from other types of fruit. Compared to juice not from concentrate, ■ fruit juice in its concentrated form is less voluminous and less heavy to transport, more stable, can be preserved a longer time and requires less energy consumption to evaporate the water content when manufacturing the final jam or jelly product. Its use in jam, extra jam, jelly and extra jelly production is therefore more sustainable than fresh ■ fruit juice. Therefore, it is appropriate to add *fruit juice, citrus fruit juice, red fruit juice and red beetroot juice, concentrated or not,* in the list of additional ingredients laid down in *that Annex, to be allowed for use in the different categories of jam, extra jam and jelly, in accordance with* that Annex.

- (31) *The use of foods additives is currently regulated in Regulation (EC) No 1333/2008, which contains specific provisions regarding jam and extra jam. It is therefore appropriate to delete the fourth indent in Annex III, Part B, point 1 of Directive 2001/113/EC and to amend accordingly Annex II thereof.*
- (32) Council Directive 2001/114/EC⁹ lays down definitions and common rules governing the composition, manufacturing specifications and labelling of certain preserved milk.
- (33) Point 3 of Annex I to Directive 2001/114/EC lists the treatments authorised to partly or wholly dehydrate preserved milk. In order to respond to evolving consumers' needs, a treatment to **reduce the level of lactose in** milk products should be authorised. Furthermore, the particular designation for the English term 'evaporated milk' in Annex II to that Directive should be **made coherent** with the international standards defined in the Codex Standard for evaporated milks (Codex Stan 281-1971).

⁹ Council Directive 2001/114/EC of 20 December 2001 relating to certain partly or wholly dehydrated preserved milk for human consumption (OJ L 15, 17.1.2002, p. 19).

- (34) Directives 2001/110/EC, 2001/112/EC, 2001/113/EC and 2001/114/EC contain references to repealed acts. Directive 2000/13/EC of the European Parliament and of the Council¹⁰ was repealed and replaced by Regulation (EU) No 1169/2011. Council Directive 89/107/EEC¹¹ and European Parliament and Council Directive No 95/2/EC¹² were repealed and replaced by Regulation (EC) No 1333/2008 of the European Parliament and of the Council¹³. ***Council Directive 98/83/EC¹⁴ was repealed and replaced by Directive (EU) 2020/2184 of the European Parliament and of the Council¹⁵.*** Those references should therefore be replaced by references to the relevant provisions of Regulations (EU) No 1169/2011, (EC) No 1333/2008 ***and Directive (EU) 2020/2184.***
- (35) Directives 2001/110/EC, 2001/112/EC, 2001/113/EC and 2001/114/EC should therefore be amended accordingly.

¹⁰ Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs (OJ L 109, 6.5.2000, p. 29).

¹¹ Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorized for use in foodstuffs intended for human consumption (OJ L 40, 11.2.1989, p. 27).

¹² European Parliament and Council Directive No 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners (OJ L 61, 18.3.1995, p. 1).

¹³ Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).

¹⁴ ***Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).***

¹⁵ ***Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (OJ L 435, 23.12.2020, p. 1).***

- (36) In order to allow Member States to adopt national laws, regulations and administrative provisions necessary to comply with this Directive, a transposition period of 18 months should be established. In order to allow operators to sufficient time to adjust to the new requirements, those national provisions transposing this Directive should only apply from 24 months after the date of entry into force of this Directive.
- (37) In order to take into account the interests of economic operators who place on the market or label their products in accordance with the requirements applicable before the application of the national provisions transposing this Directive, it is necessary to establish appropriate transitional measures. Therefore, this Directive should provide that those products may continue to be marketed for a limited time beyond the transposition period.
- (38) *Since the objectives of this Directive, namely amending the Union rules on composition and labelling of honey, fruit juices, fruit jams, jellies and marmalades, and certain partly or wholly dehydrated preserved milk, cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of this Directive, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective,*

HAVE ADOPTED THIS DIRECTIVE:

Article 1
Amendments to Directive 2001/110/EC

■ Directive 2001/110/EC is amended as follows:

(1) Article 2 is amended as follows:

(a) the introductory sentence is replaced by the following:

‘Regulation (EU) No 1169/2011 of the European Parliament and of the Council* shall apply to the products defined in Annex I to this Directive, subject to the following conditions:

* Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers (OJ L 304, 22.11.2011, p. 18).’;

(b) in point 2, the first subparagraph is replaced by the following:

‘the product names referred to in Annex I, points 2 and 3, shall apply only to the products defined therein and shall be used in trade to designate them. These names may be replaced by the simple product name ‘honey’, except in the case of comb honey, chunk honey or cut comb in honey and baker’s honey.’;

(c) *in paragraph 2, second subparagraph, point (b) is replaced by the following:*

‘(b) Except in the case of baker’s honey, those names may be supplemented by information concerning the honey’s:

- floral or vegetable origin, if the product comes wholly or mainly from the indicated source and presents the organoleptic, physico-chemical and microscopic characteristics of the indicated origin;*
- regional, territorial or topographical origin, if the product comes entirely from the indicated source;*
- specific quality criteria.’;*

(d) *point 4* is replaced by the following:

- ‘(4) (a) the country of origin where the honey has been harvested shall be indicated on the label. If the honey originates in more than one country, the countries of origin where the honey has been harvested shall be indicated on the label ***in the principal field of vision, in descending order of their share in weight, together with the percentage that each one represents. A tolerance of 5 percent shall be allowed for each individual share within the blend, calculated on the basis of the operator's traceability documentation.***

However, Member States may provide, concerning honey placed on the market in their territory, that, where the number of countries of origin in honey blends is more than four, and there are four countries of origin representing the four largest shares among all countries of origin that amounts to more than 50 % of the blend, the obligation to indicate the percentage, only applies to those four largest shares, whereas the rest of the countries of origin is indicated in descending order without percentage.

Only in the case of packages of less than 30 grams, the names of the countries of origin may be replaced by a two-letter code, in accordance with latest version in force of the international standard ISO 3166-1 two-letter code (alfa-2);

■

- (b) ■ the particulars to be indicated according to point (a) of this paragraph shall be considered as mandatory particulars in accordance with Article 9 of *Regulation (EU) No 1169/2011*.’;

(2) *Articles 3 and 4 are replaced by the following:*

‘Article 3

In the case of honey intended for industrial uses such as baker’s honey, bulk containers, packaging and sales documentation shall clearly indicate the full product name as set out in point 3 of Annex I.

Article 4

The Commission is empowered, taking into account international standards and technical progress, to adopt implementing acts laying down the methods of:

- (a) analysis to verify whether honey is compliant with the provisions of this Directive;*
- (b) analysis to detect adulterated honey.*

The Commission shall adopt the implementing acts provided for in point (b) of the first subparagraph by ... [four years from the date of entry into force of this amending Directive].

Until the adoption of the implementing acts, the Member States shall, whenever possible, use internationally recognized validated methods of analysis, such as those approved by the Codex Alimentarius, to verify compliance with the provisions of this Directive.

The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 7(2).’;

(3) the following Articles are inserted:

‘Article 4a

- 1. For the purpose of ensuring fair commercial practices and protecting consumer interests, the Commission is empowered to adopt delegated acts in accordance with Article 6 to supplement this Directive by laying down the following:**
 - (a) the criterion ‘mainly’ as regards the floral or vegetable origin of honey as referred to in Article 2, point 2, second sub-paragraph, point (b), first indent;**
 - (b) the composition criteria, to ensure that honey, with the exception of ‘baker’s honey’ as referred to in point 3 of Annex I, that is placed on the market or intended for human consumption has not been heated or treated in such a way that the natural enzymes have been either destroyed or significantly inactivated, taking into account the invertase index;**

- (c) *the criteria to ensure and verify that pollen is not removed from honey and pollen density and spectrum are not modified in honey, with the exception of ‘baker’s honey’ as referred to in point 3 of Annex I, when placed on the market or intended for human consumption, taking into account the content of pollen, minimal size of pollen and mesh size of filters;*
- (d) *the minimal content of pollen in baker’s honey following the removal of foreign inorganic or organic matter;*
- (e) *the methods and criteria to determine the place where the honey is harvested and Union-wide traceability requirements for honey from the harvesting producer or importer to the consumer.*

The Commission shall adopt the delegated acts referred to in points (b) to (e) following feasibility studies. The Commission shall adopt those delegated acts by five years from the date of entry into force of this amending Directive. The feasibility study concerning point (e) of the first subparagraph shall include an analysis of available digital solutions or methods, including where appropriate, a unique identifier code or similar techniques.

The Commission shall provide, in the delegated acts referred to in the first subparagraph, for appropriate transitional arrangements for products placed on the market before the date of application of such delegated acts.

2. *In order to adapt the composition criteria listed in Annex II to the criteria adopted with the delegated acts referred to in point (b) of paragraph 1, the Commission is empowered to adopt delegated acts in accordance with Article 6 to amend that Annex.*

Article 4b

1. *A platform is established composed of the following:*
 - (a) *representatives of the Member States, competent authorities and designated laboratories;*
 - (b) *experts representing relevant stakeholders of the honey supply chain;*
 - (c) *experts representing civil society;*
 - (d) *experts appointed in a personal capacity, who have proven knowledge and experience in the areas covered by this Directive;*
 - (e) *experts representing academia, including universities, research institutes and other scientific organisations.*

2. *The platform shall:*
- (a) *gather data for methods to improve controls and detect adulteration in honey and for methods to control the authenticity of honey with a view to their possible harmonisation;*
 - (b) *provide recommendations for a Union traceability system, with a view to tracing back the honey to the harvesting producer or importer;*
 - (c) *provide recommendations on the possible need to update the composition criteria and other quality parameters laid down in this Directive;*
 - (d) *provide recommendations with a view to establishing a EU reference laboratory.*
3. *The platform shall be chaired by the Commission. The Commission shall adopt rules on the composition and working methods of the platform. In that context the Commission may invite experts with specific expertise on an ad hoc basis.’;*

(4) *in Annex I, point 2(viii) is deleted and point 3, the third indent is replaced by the following:*

- ‘ – *have been overheated, or*
- *have been obtained by removing foreign inorganic or organic matter in such a way as to result in the significant removal of pollen.’*

Article 2

Amendments to Directive 2001/112/EC

Directive 2001/112/EC is amended as follows:

(1) Article 3 is amended as follows:

(a) the introductory sentence is replaced by the following:

‘Regulation (EU) No 1169/2011 of the European Parliament and of the Council* shall apply to the products defined in Annex I to this Directive, subject to the following conditions:

* Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers (OJ L 304, 22.11.2011, p. 18).’;

(b) in *point 1, subpoint (b)* is replaced by the following:

‘(b) As an alternative to the product names referred to in *subpoint (a)*, Annex III provides a list of particular designations. *Where the operator uses* the designations listed in Annex III, Part I, *they shall* be used in the language and under the conditions laid down therein. *Concerning* the designations listed in Annex III, Part II, *Member States in which the product is placed on the market may stipulate that those designations are to be used in one or more of the official languages of the Union.*’;

(c) the following *point* is inserted:

‘4. ■ The statement ‘■ fruit juices contain *only naturally occurring* sugars’ may appear on the label in the same field of vision as the name of the products referred to in Part I, point 1 ■ of Annex I to this Directive.’;

(d) **point** 6 is replaced by the following:

‘6. Without prejudice to Article 22 of Regulation (EU) No 1169/2011 for **■** fruit juice **from concentrate, for reduced-sugar** fruit juice from concentrate, and **for their mixtures with fruit juice or with reduced sugar fruit juice as well as** for fruit nectar obtained entirely or partly from one or more concentrated products, the labelling shall bear the words ‘from concentrate(s)’ or ‘partially from concentrate(s)’, as appropriate. That information shall be entered close to the product name, standing out well from any background, in clearly visible characters.’;

(2) Article 6 is replaced by the following:

‘Article 6

■ Only the treatments and substances listed in Part II of Annex I to this Directive and the raw materials complying with Annex II to this Directive may be used to manufacture the products defined in Part I of that Annex I. Moreover, fruit nectars shall comply with the provisions of Annex IV to this Directive.’;

(3) *Article 7 is amended as follows:*

(a) *the first paragraph is numbered as paragraph 1;*

(b) *the following paragraphs are added:*

‘2. The Commission shall be empowered to adopt delegated acts in accordance with Article 7a supplementing this Directive by laying down rules regarding the physical, chemical, organoleptic and nutritional characteristics of the products listed in Annex I, Part I, points 6(a), 6(b) and (7) and regarding the use of the authorised processes to reduce sugars.

3. The Commission is empowered to adopt implementing acts laying down the methods of analysis, taking into account international standards and technical progress, to verify whether the products listed in Annex I, Part I, points 1(a), 1(b), 2, 6(a), 6(b) and 7 are compliant with this Directive. Until the adoption of such methods, Member States shall, whenever possible, use internationally recognised validated methods of analysis such as those approved by the Codex Alimentarius to verify compliance with this Directive.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 7b(2).’;

(4) *in Article 7a,*

(a) *paragraph 2 is replaced by the following two paragraphs:*

‘2. The power to adopt delegated acts referred to in Article 7(1) shall be conferred on the Commission for a period of five years from 28 October 2013. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

The power to adopt delegated acts referred to in Article 7(2) shall be conferred on the Commission for a period of five years from ... [date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.’;

(b) *in paragraphs (3) and (5), the words ‘Article 7’ are replaced by the words ‘Article 7(1) and (2)’;*

(5) *the following Article is inserted:*

'Article 7b

1. *The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 in respect of Article 7(3). This is a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council*.*
2. *Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.*

Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

* *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).';*

(6) *the following Article is inserted:*

‘Article 7c

No later than ... [36 months after the entry into force of this Directive], the Commission shall present a report to the European Parliament and the Council providing an assessment of the feasibility of the different possibilities of labelling of the country or countries of origin where the fruit or fruits used to manufacture fruit juice and fruit puree have been harvested, accompanied, if appropriate, by a legislative proposal on one of these options of labelling of the country or countries of origin.’;

(7) Annexes I and III are amended in accordance with Annex I to this Directive;

(8) *in Annex IV, the twenty-fourth row concerning ‘Quinces’ is replaced by the following: ‘Quinces (Cydonia oblonga L.) 50’;*

(9) in Annex V, the following row is inserted in alphabetical order:

‘

Coconut (*)	<i>Cocos nucifera</i>	4,5
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’.

Article 3
Amendments to Directive 2001/113/EC

Directive 2001/113/EC is amended as follows:

(1) Article 2 is amended as follows:

(a) the introductory sentence is replaced by the following:

‘Regulation (EU) No 1169/2011 of the European Parliament and of the Council* shall apply to the products defined in Annex I to this Directive, subject to the following conditions:

* Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers (OJ L 304, 22.11.2011, p. 18).’;

(b) *in point 2 the following sentence is added:*

‘By way of derogation, Member States that do not authorise the use of the terms ‘marmalade’ and ‘extra marmalade’ for the product names ‘jam’ and ‘extra jam’ as provided for in Annex II, Part I, first and second indent, may authorise, on their territory, that in case of citrus marmalade manufactured from three or more fruits the indication ‘mixed fruit marmalade’ or ‘[x] fruits marmalade’, where x is the number of fruits, may be used.’;

(c) *point 4* is deleted;

(d) *point 6 is deleted;*

(2) Article 4 is replaced by the following:

‘Article 4

█ Only the ingredients listed in Annex II to this Directive and raw materials which comply with Annex III to this Directive may be used in the manufacture of the products defined in Annex I to this Directive.’;

(3) *the following Article is inserted:*

‘Article 6a

No later than ... [36 months after the entry into force of this Directive], the Commission shall present a report to the European Parliament and the Council providing an assessment of the feasibility of the different possibilities of labelling of the country or countries of origin where the fruit or fruits used to manufacture fruit jams, jellies, marmalades and sweetened chestnut purée have been harvested, accompanied, if appropriate, by a legislative proposal on one of these options of labelling of the country or countries of origin.’;

(4) Annex I is amended in accordance with Annex II to this Directive;

(5) in Annex II, the *second to fifth indents are* replaced by the following:

- ‘– fruit juice, whether or not concentrated: only in jam,
- *citrus fruit juice, whether or not concentrated: in products obtained from other types of fruit: only in jam, extra jam, jelly and extra jelly,*
- *red fruit juices, whether or not concentrated: only in jam and extra jam manufactured from rosehips, strawberries, raspberries, gooseberries, redcurrants, plums and rhubarb,*
- *red beetroot juice, whether or not concentrated: only in jam and jelly manufactured from strawberries, raspberries, gooseberries, redcurrants and plums,’;*

(6) in Annex II, the following indent is added:

- ‘– *food additives authorised in accordance with the provisions of Regulation (EC) No 1333/2008 of the European Parliament and of the Council*.*

* *Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).’;*

(7) in Annex III, Part B, point 1, the fourth indent is *deleted*.

Article 4
Amendments to Directive 2001/114/EC

Directive 2001/114/EC is amended as follows:

- (1) in Article 3, the introductory sentence is replaced by the following:

‘Regulation (EU) No 1169/2011 of the European Parliament and of the Council* shall apply to the products defined in Annex I to this Directive, subject to the following conditions:

* Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers (OJ L 304, 22.11.2011, p. 18).’;

- (2) in Annex I, point 3, the following **subpoint** is added:

(d) Reduction of the lactose content by conversion to glucose and galactose.
Modifications in the composition of milk **as a result of** this treatment shall be allowed only if they are indelibly indicated on the packing of the product so that it can be easily seen and read. However, such indication shall **be without prejudice to** the obligation as regards nutrition labelling laid down by Regulation (EU) No 1169/2011. Member States may limit or prohibit modifications to the composition of milk referred to in this **subpoint**.’;

(3) *in Annex I, point 4, the following subpoints are added:*

‘(c) Authorized food enzymes in accordance with Regulation (EC) No 1332/2008 of the European Parliament and of the Council.*

*(d) Authorized food additives in accordance with Regulation (EC) No 1333/2008 of the European Parliament and of the Council**.*

** Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 (OJ L 354, 31.12.2008, p. 7).*

*** Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).’;*

(4) in Annex II, point (a) is replaced by the following:

‘(a) The English term ‘evaporated milk’ means the product defined in Annex I **■** (1)(b).
■’

Article 5
Transposition

1. Member States shall adopt and publish, by ... [18 months after the date of entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from ... [24 months after the date of entry into force of this Directive].

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 6
Transitional measures

Products which are placed on the market or labelled before ... [24 months after the date of entry into force of this Directive], in accordance with Directives 2001/110/EC, 2001/112/EC, 2001/113/EC and 2001/114/EC, may continue to be marketed until the exhaustion of stocks.

Article 7
Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 8
Addressees

This Directive is addressed to the Member States.

Done at ...,

For the European Parliament
The President

For the Council
The President

ANNEX I

Annexes I and III to Directive 2001/112/EC are amended as follows:

(1) Annex I is amended as follows:

(a) in Part I, the following *points are* added:

‘6. (a) Reduced-sugar fruit juice

The product obtained from the product defined in point 1(a) where naturally occurring sugars have been removed by at least 30 % by using a process authorised under the conditions laid down in Part II, point 3, of Annex I, which maintains all the other essential physical, chemical, organoleptical and nutritional characteristics of an average type of juice of the fruit from which it comes.

■ Reduced-sugar fruit juice *may be obtained by mixing reduced-sugar fruit juice with fruit juice and/or fruit purée.*

(b) Reduced-sugar fruit juice from concentrate

The product obtained from the products defined in point 1(b) or point 2 where naturally occurring sugars have been removed by at least 30 % by using a process authorised under the conditions laid down in point 3 of Part II of Annex I, which maintains all the other essential physical, chemical, organoleptical and nutritional characteristics of an average type of juice of the fruit from which it comes, and that have been reconstituted with potable water that meets the criteria set out in Directive 98/83/EC.

*Reduced sugar fruit juice from concentrate may be obtained by mixing reduced-sugar fruit juice from concentrate with fruit juice, fruit juice from concentrate, **reduced-sugar fruit juice**, fruit purée from concentrate and/or fruit purée. ■*

7. Concentrated reduced-sugar fruit juice

The product obtained from fruit juice of one or more fruit species by the physical removal of a specific proportion of the water content and where naturally occurring sugars have been removed by at least 30 % by using a process authorised under the conditions laid down in point 3 of Part II of Annex I, which maintains all other physical, chemical, organoleptical and nutritional characteristics essential for the average type of product. Where the product is intended for direct consumption, the removal shall be at least 50 % of the water content.’;

(b) *in Part I, point (b) the first paragraph is replaced by the following:*

‘The product obtained by reconstituting concentrated fruit juice defined in point 2 with potable water that meets the criteria set out in Directive (EU) 2020/2184 of the European Parliament and of the Council.*

* *Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (OJ L 435, 23.12.2020, p. 1).’;*

(c) Part II is amended as follows:

(i) point 2 is amended as follows:

– *the second and third indents are replaced by the following:*

‘– *Food additives authorised in accordance with Regulation (EC) No 1333/2008; however sweeteners are not allowed to manufacture the products listed in Part I of Annex I, except for fruit nectars.*

– For fruit juice, fruit juices from concentrate, concentrated fruit juices, reduced-sugar fruit juice, reduced-sugar fruit juices from concentrate *and concentrated reduced sugar fruit juice*: restored flavour, pulp and cells;’;

- the fifth indent is replaced by the following:
 - ‘– For fruit nectars: restored flavour, pulp and cells; sugars and/or honey up to 20 % of the total weight of the finished products referred to in Part I of Annex IV, 15 % of the total weight of the finished products referred to in Part II of Annex IV and 10 % of the total weight of the finished products referred to in Part III of Annex IV; and/or sweeteners.

A claim stating that sugars have not been added to fruit nectar, and any claim likely to have the same meaning for the consumer, may only be made where the product does not contain any added mono- or disaccharides or any other food used for its sweetening properties, including sweeteners as defined in Regulation (EC) No 1333/2008. *Where such a claim is used* the following indication *shall* also appear on the label: ‘contains naturally occurring sugars.’;

- the seventh indent is replaced by the following:
 - ‘– For products defined in Part I, points 1 to 7, in order to regulate acidic taste: lemon and/or lime juice and/or concentrated lemon and/or lime juice, up to 3 g per litre of juice, expressed as anhydrous citric acid.’;
 - the following indent is added:
 - ‘– For reduced-sugar fruit juice: water to the extent strictly necessary to restore the water lost due to the sugar-reduction process.’;
- (ii) point 3 is amended as follows:
- the thirteenth indent is replaced by the following:
 - ‘– Plant proteins from wheat, peas, potatoes or sunflower seeds for clarification.’;

- the following indent is added:
 - ‘– ***Only for reduced-sugar fruit juice, reduced-sugar fruit juice from concentrate and concentrated reduced-sugar fruit juice:*** processes to ***reduce*** naturally occurring sugars, to the extent that they maintain all the other essential physical, chemical, organoleptical and nutritional characteristics of an average type of juice of the fruit from which it comes: membrane filtration, yeast fermentation.’;

(2) Annex III is replaced by the following:

‘ANNEX III

PARTICULAR DESIGNATIONS FOR CERTAIN PRODUCTS LISTED IN ANNEX I

I. Particular designations that may only be used in the language of the designation

(a) ‘vruchtendrank’, for fruit nectars;

- (b) ‘Süßmost’;

The designation ‘Süßmost’ may be used only in conjunction with the product names ‘Fruchtsaft’ or ‘Fruchtnektar’:

- (i) for fruit nectar obtained exclusively from fruit juices, concentrated fruit juices or a mixture of these products, unpalatable in the natural state because of their high natural acidity;
 - (ii) for fruit juice obtained from apples or from pears, with the addition of apples where appropriate, but with no added sugar;
- (c) ‘succo e polpa’ or ‘sumo e polpa’, for fruit nectars obtained exclusively from fruit purée and/or concentrated fruit purée;
- (d) (i) ‘æblemost’, *synonym of* apple juice ■ ;
- (ii) ‘æblemost fra koncentrat’, *synonym of apple juice from concentrate*;
- (e) (i) ‘sur ... saft’, together with the name (in Danish) of the fruit used, for juices with no added sugar obtained from blackcurrants, cherries, redcurrants, whitecurrants, raspberries, strawberries or elderberries,
- (ii) ‘sød ... saft’ or ‘sødet ... saft’ together with the name (in Danish) of the fruit used, for juices obtained from this fruit, with more than 200 g of added sugar per litre;

- (f) ‘äppelmust/äpplemust’, *synonym of* apple juice ■ ;
 - (g) ‘mosto’, synonym of grape juice;
 - (h) ‘smiltsērķšķu sula ar cukuru’ or ‘astelpaju mahl suhkruga’ or ‘słodzony sok z rokitnika’ for juices obtained from seabuckthorn berries with no more than 140 g of added sugar per litre.
- II. Particular designations that may be used in *one or more* of the *official languages of the Union*
- (a) ‘coconut water’, for the product which is directly extracted from the coconut without expressing the coconut meat, as a synonym of coconut juice.’.

ANNEX II

Annex I to Directive 2001/113/EC is amended as follows:

(1) Part I is amended as follows:

(a) the first and second indents are replaced by the following:

- ‘Jam’ is a mixture, brought to a suitable gelled consistency, of sugars, the pulp and/or purée of one or more kinds of fruit and water. However, citrus jam may be obtained from the whole fruit, cut into strips and/or sliced.

Member States may, however, in order to take account of *the terms commonly used by the consumers*, authorise, *on their territory*, that the term ‘marmalade’ be used for the product *name* ‘jam’, *except in the case of citrus jam*.

The quantity of pulp and/or purée used for the manufacture of 1 000 g of finished product must not be less than:

- 450 g as a general rule,

- 350 g for redcurrants, rowanberries, sea-buckthorns, blackcurrants, rosehips and quinces,
 - **180** g for ginger,
 - 230 g for cashew apples,
 - 80 g for passion fruit.
- ‘Extra jam’ is a mixture, brought to a suitable gelled consistency, of sugars, the unconcentrated pulp of one or more kinds of fruit and water. However, rosehip extra jam and seedless raspberry, blackberry, blackcurrant, blueberry and redcurrant extra jam may be obtained entirely or in part from unconcentrated purée of the respective fruits. Citrus extra jam may be obtained from the whole fruit, cut into strips and/or sliced.

Member States may, however, in order to take account of *the terms commonly used by the consumers*, authorise, *on their territory*, that the term ‘extra marmalade’ be used for the product name ‘extra jam’, *except in the case of citrus extra jam*.

The following fruits may not be used mixed with others in the manufacture of extra jam: apples, pears, clingstone plums, melons, water-melons, grapes, pumpkins, cucumbers and tomatoes.

The quantity of pulp used for the manufacture of 1 000 g of finished product must not be less than:

- **500** g as a general rule,
- 450 g for redcurrants, rowanberries, sea-buckthorns, blackcurrants, rosehips and quinces,
- **280** g for ginger,
- 290 g for cashew apples,
- 100 g for passion fruit. ’;

(b) the fifth and sixth indents are replaced by the following:

- ‘Citrus marmalade’ is a mixture, brought to a suitable gelled consistency, of water, sugars and one or more of the following products obtained from citrus fruit: pulp, purée, juice, aqueous extracts and peel. ***In the name ‘citrus marmalade’, the term ‘citrus’ may be replaced by the name of the citrus fruit used.***

The quantity of citrus fruit used in the manufacture of 1 000 g of finished product must not be less than 200 g of which at least 75 g must be obtained from the endocarp.

- The name ‘jelly marmalade’ may be used where the product defined as citrus marmalade contains no insoluble matter except possibly for small quantities of finely sliced peel.’;

(2) Part II is replaced by the following:

‘II. Products defined in Part I must have a soluble dry matter content of 60 % or more as determined by refractometer, except for those products that fulfil the requirements of Regulation (EC) No 1924/2006 of the European Parliament and of the Council* as regards reduced sugar, and those products in respect of which sugars have been wholly or partially replaced by sweeteners.

Without prejudice to Article 17(1) of Regulation (EU) No 1169/2011, Member States may, in order to take account of certain particular cases, authorise the reserved names for products defined in Part I which have a soluble dry matter content of less than 60 %.

* Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods (OJ L 404, 30.12.2006, p. 9).’