



## Statement on front-of-pack nutrition labelling in the European Union

15 March 2023

The European Public Health Association (EUPHA) expresses its growing concerns regarding the delays to the revisions of Regulation 1169/2011 on the provision of food information to consumers.<sup>i</sup>

In May 2020, the European Commission published its Farm to Fork Strategy, in which it committed to “propose harmonised mandatory front-of-pack nutrition labelling” to “empower consumers to make informed, healthy and sustainable food choices” by the fourth quarter of 2022.<sup>ii</sup> The Commission repeated this commitment in Europe's Beating Cancer Plan of February 2021.<sup>iii</sup> EUPHA is concerned that the deadline that the Commission initially announced has now passed and there seems to be no formal indication of when its proposal is going to be published.

In its responses to the Commission Roadmaps on food labelling and nutrient profiling,<sup>iv</sup> and the subsequent consultation,<sup>v</sup> EUPHA expressed strong support for the adoption of a harmonised, EU-wide, mandatory, effective front-of-pack nutrition labelling (FoPNL) scheme. This is all the more pressing as over half of adults in the EU are overweight or obese, resulting in increases in chronic diseases such as cancers, cardiovascular disease, type 2 diabetes, hypertension and coronary heart diseases. Unhealthy diets lead to over 950,000 deaths and the loss of over 16 million years of good health each year,<sup>vi</sup> with a disproportionate burden on members of lower socioeconomic groups.<sup>vii</sup> Obesity also has substantial direct and indirect costs to healthcare systems and other social resources.<sup>viii</sup>

It is clear that there is strong support across the EU for the implementation of an EU-wide harmonised FoPNL scheme, as the responses to the consultation clearly show.<sup>ix</sup> The choice of any single scheme must be guided by evidence.<sup>x</sup> We urge the EU to move forward without delay in light of the harms resulting from unhealthy diets and the clear benefits of FoPNL.<sup>xi</sup>

The adoption of a harmonised FoPNL scheme has significant advantages from at least four perspectives.

- From the perspective of consumers: effectively designed FoPNL can help inform consumers on the nutritional composition of the food they purchase and consume. Informing consumers, and thereby empowering them to make healthier decisions, lies at the heart of the EU's consumer and health protection strategies. It reflects the EU's long-held view that regulating food labelling is important in steering consumers towards healthier choices whilst promoting the free movement of goods.<sup>xii</sup> At present, the EU only mandates a small, monochromatic table of nutrition information on the back of food packaging which can be hard to see and difficult-to-understand. Effectively designed FoPNL, on the other hand, can provide easy-to-see and easy-to-understand information on the front of food packaging thus supporting healthier food choices.<sup>xiii</sup>

- From the perspective of manufacturers and other economic operators, a harmonised FoPNL scheme will level the playing field, increase legal certainty and reduce labelling costs. At present, there are seven national schemes recommended across 14 Member States. There are further schemes designed by industry but not officially endorsed by a Member State. While some manufacturers have adopted FoPNL, many have not, whilst others are using multiple different schemes. Some manufacturers use FoPNL labelling selectively only on some products.
- From the perspective of Member States, a mandatory, EU-wide scheme will contribute to policies intended to reduce the prevalence of obesity and diet-related diseases. Current, EU rules prohibit the adoption of effective national FoPNL schemes which are interpretive, and they do not encourage the adoption of FoPNL schemes which are easy-to-use. Moreover, and very importantly, Member States cannot make FoPNL mandatory.<sup>xiv</sup> As a result, the degree of regulatory fragmentation is high, and Member States are not in a position to ensure the level of consumer and health protection they have undertaken to provide in international fora.<sup>xv</sup>
- From the perspective of the EU itself, a harmonised FoPNL scheme will promote the proper functioning of the internal market in line with the EU's mandate to ensure a high level of consumer and health protection in all its policies. Moreover, it will facilitate the compliance of all its Member States with the commitments that they have made at international level to promote healthier food environments and thereby help to prevent diet-related diseases.

The Commission, in its inception impact assessment and the consultation document, put forward four types of labels as contenders for a harmonised mandatory EU-wide scheme: graded indicators (eg Nutri-Score); endorsement logos (eg Keyhole); colour-coded (eg Multiple Traffic Lights); and numerical (eg NutriInform). The Commission's Joint Research Centre review of the evidence on FoPNL, published in 2022 and encompassing literature on the perspective of consumer preferences and performance, identified criteria for the success of an effective FoPNL scheme. First, colour-coded labels appear to draw consumer attention through increased salience of the label, are preferred by consumers, are associated with increased understanding and encourage healthier food purchases. Secondly, simple labels require less attention to be processed and are preferred and more easily understood by consumers. Conversely, more complex labels require more time to process, and monochrome labels have lower performance than colour-coded schemes to improve the healthiness of consumer purchases. Thirdly, consumers prefer and better understand salient, consistent and simple reference quantities.

It is clear, therefore, that of the four schemes considered in the inception impact assessment, Nutri-Score is the only one meeting these criteria, as it is simple, graded and colour-coded. Its effectiveness in terms of its ability to attract consumers' attention, be favourably perceived, be well understood and have an impact on nutritional quality of purchases has been well established.<sup>xvi</sup> Additionally, the nutrient profile model underpinning Nutri-Score has been extensively validated and has been shown to be prospectively associated with health outcomes, showing its potential to help reduce nutrition-related diseases in the long term.<sup>xvii</sup> Even if no scheme could ever be described as 'perfect' for all stakeholders, its developed evidence base, and its adoption by a growing number of Member States, makes Nutri-Score the only viable option for a timely implementation of a harmonised FoPNL in the European Union.

In light of the above, EUPHA is calling for the Commission to move forward with the revisions it has committed to introduce by proposing legislation as a matter of urgency requiring food to be labelled with Nutri-Score on a mandatory basis across the EU.

For more information, please contact Nikhil Gokani, Vice-President of the EUPHA Law and public health section, or Marieke Verschuuren, EUPHA Executive Director, at [office@eupha.org](mailto:office@eupha.org).



The European Public Health Association (EUPHA) is the umbrella organisation for public health associations and institutes in Europe. EUPHA has 85 members from 47 countries. Our network brings together over 39,000 public health professionals. Our mission is to facilitate and activate a strong voice of the public health network by enhancing visibility of the evidence and by strengthening the capacity of public health professionals. EUPHA contributes to the preservation and improvement of public health in the European region through capacity and knowledge building. We are committed to creating a more inclusive Europe, narrowing all health inequalities among Europeans, by facilitating, activating, and disseminating strong evidence-based voices from the public health community and by strengthening the capacity of public health professionals to achieve evidence-based change.

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<sup>i</sup> OJ L 304, 22.11.2011, pp. 18–63.

<sup>ii</sup> European Commission, “Farm to Fork Strategy: For a fair, healthy and environmentally-friendly food system” COM(2020) 381 final, p. 13; European Commission, “Farm to Fork Strategy: For a fair, healthy and environmentally-friendly food system” (European Union, 2020), pp. 14 & 22.

<sup>iii</sup> European Commission, “Communication from the Commission to the European Parliament and the Council. Europe’s Beating Cancer Plan” COM(2021) 44 final.

<sup>iv</sup> Available here: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12749-Food-labelling-revision-of-rules-on-information-provided-to-consumers>. EUPHA response available here: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12748-Facilitating-healthier-food-choices-establishing-nutrient-profiles/F1577124\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12748-Facilitating-healthier-food-choices-establishing-nutrient-profiles/F1577124_en). See also: European Commission, “Inception Impact Assessment. Proposal for a revision of Regulation (EU) No 1169/2011 on the provision of food information to consumers” Ares(2020)7905364.

<sup>v</sup> Available here: [https://food.ec.europa.eu/safety/labelling-and-nutrition/food-information-consumers-legislation\\_en](https://food.ec.europa.eu/safety/labelling-and-nutrition/food-information-consumers-legislation_en). EUPHA response available here: [https://eupha.org/repository/Food%20Labelling\\_March.pdf](https://eupha.org/repository/Food%20Labelling_March.pdf).

<sup>vi</sup> European Commission, “EU Burden from Non-Communicable Diseases and Key Risk Factors” (EU, 2021)

<<https://ec.europa.eu/jrc/en/health-knowledge-gateway/societal-impacts/burden>>.

<sup>vii</sup> WHO, “Global Strategy on Diet, Physical Activity and Health” (WHO, 2004); United Nations General Assembly, “Decade of Action on Nutrition (2016-2025)” (A/RES/70/259).

<sup>viii</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Overweight\\_and\\_obesity\\_-\\_BMI\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Overweight_and_obesity_-_BMI_statistics)

<sup>ix</sup> [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12749-Food-labelling-revision-of-rules-on-information-provided-to-consumers/public-consultation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12749-Food-labelling-revision-of-rules-on-information-provided-to-consumers/public-consultation_en)

<sup>x</sup> See, in particular, the Codex Alimentarius guidelines on nutrition labelling set out “principles for the establishment of FoPNL systems”: <https://www.fao.org/fao-who-codexalimentarius/sh->

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<sup>xi</sup> See also the joint letter from BEUC, EHN and EPHA to Frans Timmermans, '[Public health and consumer groups ask for a timely proposal on Front-of-Pack Nutritional Labelling](#)', 19 December 2022.

<sup>xii</sup> See, in particular, European Commission, "White Paper on A Strategy for Europe on Nutrition, Overweight and Obesity Related Health Issues" COM(2007) 279 final; European Commission, "EU Action Plan on Childhood Obesity 2014-2020" (EU, 2014).

<sup>xiii</sup> B Kelly and J Jewell, "What is the Evidence on the Policy Specifications, Development Processes and Effectiveness of Existing Front-of-Pack Food Labelling policies in the WHO European Region?" (WHO Europe, 2018).

<sup>xiv</sup> N Gokani, 'Front-of-pack nutritional labelling: a tussle between EU food law and national measures' (2022) 47(2) European Law Review 153-174

<sup>xv</sup> See for instance: WHO Europe, "European Food and Nutrition Action Plan 2015–2020" (WHO Europe, 2014); WHO, 'Tackling NCDs: 'Best Buys' and Other Recommended Interventions for the Prevention and Control of Noncommunicable Diseases' (WHO, 2017); WHO, Report of the Commission on Ending Childhood Obesity (WHO, 2016).

<sup>xvi</sup> M Egnell et al, 'Objective understanding of the Nutri-score front-of-pack label by European consumers and its effect on food choices: an online experimental study' (2020) 17 International Journal of Behavioral Nutrition and Physical Activity 146; P Ducrot et al, 'Impact of Different Front-of-Pack Nutrition Labels on Consumer Purchasing Intentions: A Randomized Controlled Trial' (2016) 50(5) American Journal of Preventive Medicine 627.

<sup>xvii</sup> M Egnell et al, 'Modelling the impact of different front-of-package nutrition labels on mortality from non-communicable chronic disease' (2019) 16 International Journal of Behavioral Nutrition and Physical Activity 56; M Deschasaux et al, 'Association between nutritional profiles of foods underlying Nutri-Score front-of-pack labels and mortality: EPIC cohort study in 10 European countries' (2020) 370 British Medical Journal m3173; C Donat-Vargas, 'Five-color Nutri-Score labeling and mortality risk in a nationwide, population-based cohort in Spain: the Study on Nutrition and Cardiovascular Risk in Spain (ENRICA)' (2021) 113(5) American Journal of Clinical Nutrition 1301; C Gómez-Donoso et al, 'Association between the nutrient profile system underpinning the Nutri-Score front-of-pack nutrition label and mortality in the SUN project: A prospective cohort study' (2021) 40(3) Clinical Nutrition 1085.