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HOTREC comments

To the

**DG SANCO Consultative Document of February 2006
on
Labelling: Competitiveness, Consumer Information and
Better Regulation for the EU**

18 May 2006

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HOTREC appreciates the opportunity provided by DG SANCO to stakeholders to participate in the consultation process on the issue of labelling.

The consultative document proposes a global reassessment of the existing labelling rules as regards foodstuffs delivered to end-consumers. These rules deal with ingredients present in foodstuffs, including allergens, nutrients, GMOs, the origin of beef, etc.

The position of HOTREC and its national associations in relation to the review of these rules is very clear: the current approach according to which EU labelling rules do not apply to food served in restaurants should be maintained.

So far, the Commission has always confirmed that the EU labelling rules are only applicable to the delivery of “*foodstuffs as such*”, with the consequence that these rules “*do not apply to food supplied by mass caterers to their customers where such foods have been prepared or processed*”¹.

The extension of food labelling obligations to restaurants would not be appropriate. Mandatory labelling would cause unbearable difficulties for restaurants.

The identification of nutrient contents in each dish offered by a restaurant would need the hiring of a dietician, a cost that 95 % of the enterprises in the restaurant sector, which consist of small enterprises, could simply not afford. The components of a dish and the nutrients of such components vary due to seasonal and other aspects. Many restaurants do not use single sources of supply nor standardised products. The labelling requirements could, therefore, change on a daily basis.

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- See Written Question by Francesco Speroni to the Commission P-4049/03 of 7 January 2004 and answer given by Mr. Byrne on behalf of the Commission on 18 February 2004 (O.J. C 78 E/904 of 27.03.2004)

- See also Letter by Paola Testori Coggi, Director DG SANCO, sent to HOTREC on 15 June 2004

Furthermore food labelling would be unworkable with menu-cards, which would need to be re-written/re-printed every time one of the components or nutrients of a component vary. To change or alter menu-cards in such case would be almost impossible. Beyond the cost element, these requirements would also make menu-cards overly complicated and, therefore, much less attractive for the customers.

Most restaurant customers are seeking a leisure experience that goes beyond simply buying food. Consumers have very different expectations of the product they buy in a supermarket as compared to a restaurant. Contrary to retailers, restaurants serve meals – they do not sell food. A mass of statutory information does not appeal to the customer. In fact there is little demand from customers for detailed information on ingredients, etc.

Where a customer requests specific information on the composition of a dish or the origin of a product, the staff or the chef are available to explain what foodstuffs are used and the recipe followed. After all, eating in a restaurant provides for the closest contact a customer could possibly have with the person in charge of the preparation of his food except for food prepared at home. Information in respect to allergens is particularly important. Therefore, as an alternative to labelling, guidance on how to deal with allergens should be developed for the catering industry.

HOTREC will be pleased to present and discuss its views in the next meeting of the Food Advisory Group dealing with the issue.

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HOTREC represents over 1.4 million enterprises in the restaurant and café sector throughout the European Union (EU) employing more than 7.5 million persons. The sector thus accounts for some 5 % of total employment in the EU.

Small enterprises are predominant in the sector as 95 % of restaurants have less than 10 employees. On average, there are 4 employees per restaurant.

The restaurant sector generated EUR 104.5 billion in value added (EU 25) in 2002, which represents some 4 % of total value added in the market service sector. Restaurants thus make up one of the largest tourism-related activities, although, of course, they serve local customers as well.

In view of the above, it goes without saying that restaurants form a significant part of the economy, whose interests deserve to be taken into account in the formulation of public policy at EU level.

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