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Dear Chair Lins,

Thank you for your letter of 6 February 2024, in which you raise some questions and concerns on the new wine labelling rules. You highlight in particular the need to further complement the Commission's Notice C/2023/1190 "Questions and Answers on the implementation of new EU wine labelling provisions"¹ in order to help EU wine producers apply the rules across the single market. This follows the reply to your letter of 9 November 2023 (our reference Ares(2023)8595199) as well as the exchange of views in the Parliament.

The co-legislators did not provide any specific empowerment for the Commission to regulate the features of the electronic means (QR code), which constitutes a new means of providing information to consumers, allowed only for wines. Other foods cannot use this. In the absence of a specific empowerment, the Commission has to proceed as done in the Notice published on 24 November 2023, which does not introduce legal provisions but gives technical replies to questions raised by Member States and stakeholders, and thoroughly discussed with them.

In your letter you ask to clarify the identification of the QR code for the benefit of Member States. As explained in point 38 of the Commission Notice, Article 18(1) of Regulation (EU) 1169/2011 refers explicitly to the list of ingredients which 'shall be headed or preceded by a suitable heading which consists of or includes the word 'ingredients''. No equivalent provision regarding the nutrition declaration can be found in Regulation (EU) No 1169/2011. Paragraph 4 of Article 119 of Regulation (EU) 1308/2013 stipulates that the nutrition declaration to be put on the package or on a label attached thereto may be limited to the energy value, in which case the 'full nutrition declaration shall be provided by electronic means identified on the package or on a label attached thereto'.

(¹) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AC_202301190

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The simple appearance on a label of an unidentified QR code is not sufficient; in all cases, consumers must be able to understand what type of information can be found “behind” QR codes or other electronic means.

This interpretation is supported by the general rules and fair information principles of Regulation (EU) 1169/2011 according to which mandatory food information “shall be marked in a conspicuous place in such a way as to be easily visible and clearly legible [...]”.

The identification of the QR code has been repeatedly discussed in several GREX meetings with Member States. I share your view that a coordinated approach across the EU is desirable. In this respect, in the last GREX meeting (8 February 2024) my services asked Member States to provide information regarding the state of play of the implementation of the relevant wine labelling legislation, aiming at fostering enhanced coordination between them.

Regarding the possibility to replace the term “ingredients” with an abbreviation or a symbol when the list of ingredients is provided by electronic means, my services have examined all the empowerments in Regulation (EU) No 1308/2013 and concluded that none of them allow the Commission to make such a modification based on the existing empowerments. Let me highlight that the language rules applicable to this term is the same as the one currently applied to the other particulars, which should appear on the labels in one or more official languages of the Union (as stated in point 38 of the Notice). For bottles of wine exported outside the EU, labels including their language may have to be adjusted to the national law of the importing third countries.

Yours sincerely,



Janusz Wojciechowski