



Representing all sugar producers in the EU plus Switzerland since 1953

30 January 2018

CEFS answer to the public consultation on the draft Implementing Regulation on article 26(3) to the FIC Regulation

CEFS (Comité Européen des Fabricants de Sucre) represents EU sugar producers. Sugar is produced from sugar beet from the EU and sugar cane from the EU and third countries. The sugar produced by CEFS members is marketed as a single-ingredient product (e.g., sugar packs) and it can also be a food ingredient representing more than 50% of a food (e.g., sugar in confectionery).

CEFS considers that, while the current version of the draft Implementing Regulation has been well improved, so far, the proposed options to indicate the origin of the primary ingredient have not been completely able to take into account all the constraints of the EU sugar sector. Therefore, our comments are the following:

- We note that neither Article 2(a) nor Article 2(b) provide a solution for cases where (1) the origin of the primary ingredient varies frequently, so that this may sometimes be the same as the origin of the food and sometimes different, depending on the sourcing, (2) the primary ingredient has multiple origins that may also include the origin or provenance of the food product. Possible solutions to this would be the inclusions of the indication “and/or” in Art. 2(a), and the provision of more flexibility concerning the statement laid down in Art. 2(b) (e.g. allow for the use of statements such as “[primary ingredient] may come from various origins”, “[primary ingredient] may be of a different origin”, “[primary ingredient] partially of different origin” etc).
- In addition, we feel that the existing legal framework is not properly taken into account. Indeed, from a legal point of view, the refining of raw sugar does not confer the origin to the sugar. This means that white sugar obtained in an EU country from raw sugar imported from a third country would have as origin that third country

Finally, CEFS thinks that developing an interpretative Q&A is an important step in order to cover all specific and remaining interpretation issues that may arise from the adoption of the Implementing Regulation. This is a crucial step for the B2B communication between primary ingredient producers and the second transformation industry.