

Commission President Ursula von der Leyen
European Commission
Rue de la Loi/Wetstraat 200
1049 Brussels

Minister Frank Vandenbroucke – Minister for Health,
Belgian Presidency of the EU
Rue de la Loi/Wetstraat 23
1040 Brussels

c.c. Commissioner Stella Kyriakides, Commissioner for Health
Ms Sandra Gallina, Director General DG Health
Mr Péter Takács, State Secretary for Health of the Ministry of Interior Affairs, Hungary

Brussels, 19 March 2024

Re : Open letter calling for action on nutritional aspects of food

Dear President of the European Commission,
Dear Minister Vandenbroucke,

As we come to the end of this EU mandate and look towards the next one, foodwatch is both confused and disappointed about the lack of progress in a crucial area of EU policy: the nutritional aspects of food. With this letter we call on you to put three priorities high on the agenda of the next term: a front of pack nutritional label; legislation on health and nutrition claims and a ban on marketing of junk food to young people.

foodwatch is an independent, non-profit campaigning organisation that fights for safe, healthy, and affordable food for all people. We give consumers a loud voice, speak up for transparency in the food sector and defend our right to food that harms neither people, nor the environment. Almost 1 million people support our work across four EU member states: Germany, France, the Netherlands, and Austria.

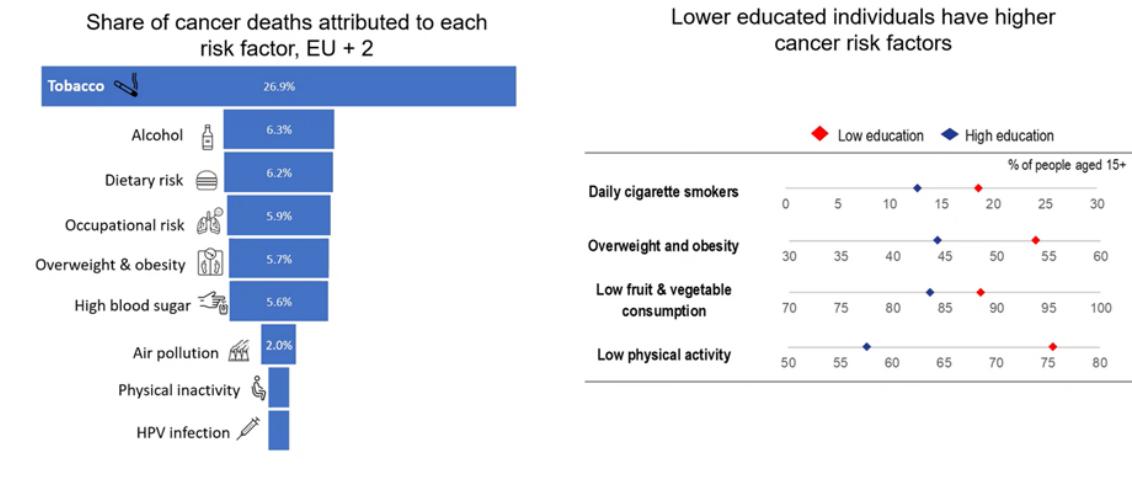
The Farm to Fork Strategy in May 2020 made great promises. The revision of the Food Information to Consumers package was to propose a mandatory and harmonised front of pack nutritional label (FOPNL), nutrient profiles would be created, and finally long-awaited rules would be placed on nutrition and health claims. These measures would support 'Europe's Beating Cancer Plan' and in the ongoing challenges of prevention of metabolic syndrome, diabetes, obesity, and other Non-Communicable Diseases (NCDs).

The OECD and European Commission report on Beating Cancer Inequalities in the EU ¹ shows that the highest risk factors for cancer are tobacco, alcohol, and collection of factors around diet. Confusingly factors concerning diet are split into three categories: dietary risk, overweight and obesity and high blood sugar. Adding these factors together brings the share of cancer deaths linked to nutrition and food to

¹ https://www.oecd-ilibrary.org/social-issues-migration-health/beating-cancer-inequalities-in-the-eu_14fdc89a-en

17.5%, second only to tobacco. However, if we also factor that 19% of the EU population smokes², compared to 100% who eat, we can clearly see that the real problem is being severely underestimated at the cost of everyone's health.

Over 40% of the cancer burden is from preventable risk factors, more prevalent among lower socioeconomic groups



The report goes on to call for an integrated policy approach and goes into detail on those measures that are shown to work, e.g. reformulation of processed food, front of pack nutritional labels and a ban on advertising of unhealthy food. Yet, in the interventions from the Commission linked to the report, not a single mention was made to these high-risk factors and measures to mitigate them.^{3 4}

The Food System Economics Commission (FSEC), Global Policy Report is also clear on what needs to be done: *A global shift towards healthy diets is the biggest source of benefits in the [FSEC FST pathway](#). Changing what people choose to eat is not easy but policies that have been shown to work include: regulating the marketing of unhealthy foods to children; front-of-pack nutritional guidance; targeting public food procurement on healthy options; taxing sugar-sweetened beverages and unhealthy foods; and reformulating packaged food.*⁵

The European Commission was set to make important steps during this mandate. We know, via Access to Information requests on the Food Information to Consumers legislation, that pressure was made by the

² https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Tobacco_consumption_statistics#:~:text=Daily%20smokers%20of%20cigarettes,-Men%20were%20more&text=In%202019%2C%2018.4%20%25%20of%20people,the%20EU%20were%20daily%20smokers

³ https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_24_592

⁴ https://ec.europa.eu/commission/presscorner/detail/en/IP_24_519

⁵ Ruggeri Laderchi, C., Lotze-Campen, H., DeClerck, F., Bodirsky, B.L., Collignon, Q., Crawford, M., Dietz, S., Fesenfeld, L., Hunecke, C., Leip, D., Lord, S., Lowder, S., Nagenborg, S., Pilditch, T., Popp, A., Wedl, I., Branca, F., Fan, S., Fanzo, J., Ghosh, J., Harriss-White, B., Ishii, N., Kyte, R., Mathai, W., Chomba, S., Nordhagen, S., Nugent, R., Swinnen, J., Torero, M., Laborde Debouquet, D., Karfakis, P., Voegelé, J., Sethi, G., Winters, P., Edenhofer, O., Kanbur, R., & Songwe, V. (2024). The Economics of the Food System Transformation. Food System Economics Commission, Global Policy Report

industry and by certain member states to ensure the non-arrival of the proposal in December 2022.⁶ This postponement of much needed legislation, without even a clear date when it will be released, cannot be allowed to happen given the health crisis we are facing.

We are now in a situation where obesity, including childhood obesity, is a major concern in all EU member states⁷, diabetes rates are on the rise⁸, and cancer is the second leading cause of death in Europe after cardiovascular diseases and anticipated to become the leading cause of death by 2035.⁹ This is all putting a heavy strain on health care systems and Europe's economy. Efforts are being made to try and calculate the costs of ill health on our societies and recent studies put a global figure at around 11 Trillion USD.¹⁰

At this important moment in the transition to the next political term, we therefore call on you to put the following issues high on the agenda:

- 1) **Make Nutri-Score the mandatory and harmonised Front of Pack Nutritional Label in the EU to provide all EU citizens with information on all the food they eat.** The OECD/EU report states: "The largest evidence base in terms of understanding and use across different groups of consumers supports the Nutri-Score labelling system."¹¹ We cannot afford more delays and need to take a label which is scientifically independent, proven to work and has a process in place for its continued improvement. If it is not both mandatory and harmonised, there is neither a level playing field for companies, nor a fairness to consumers across the EU.

- 2) **Legislate on health and nutrition claims.** Health and nutrition claims need to be linked to improved nutrient profiles¹² as part of an overall better information regulation which has Nutri-Score as the FOPNL for the EU. Currently the situation is chaotic due to both the lack of up-to-date regulation and enforcement of legislation that does exist. For example, it has been illegal since 2016 for fruit juice companies to display 'no added sugar' on its label, yet any visit to the supermarket will prove the blatant disregarded by the industry, and their impunity in the matter. Legislation on health and nutrition claims is now fifteen years too late – this must be remedied

⁶ https://www.asktheeu.org/en/request/documents_and_decisions_followin?nocache=incoming-52296#incoming-52296

⁷ [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(23\)02750-2/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(23)02750-2/fulltext)

⁸ According to [International Diabetes Federation](https://www.internationaldiabetesfederation.org/) data, the absolute number of diabetics in the EU will rise from approximately 33 million in 2010 to 38 million in 2030. (source: https://research-and-innovation.ec.europa.eu/research-area/health/diabetes_en)

⁹ OECD (2024), Beating Cancer Inequalities in the EU: Spotlight on Cancer Prevention and Early Detection, OECD Health Policy Studies, OECD Publishing, Paris, <https://doi.org/10.1787/14fdc89a-en>.

¹⁰ Health costs, which FSEC estimates to be at least 11 trillion USD. The economic costs of ill health due to food systems are measured through their negative effects on labour productivity. Those are driven by the prevalence of non-communicable diseases, including diabetes, hypertension, and cancer which can be attributed to food. A large share of this burden is born by people living with obesity, currently estimated at 770 million people. FSEC's health costs also include a lower bound figure for the productivity costs of undernutrition, currently affecting 735 million people (ibid.)

¹¹ OECD (2024), Beating Cancer Inequalities in the EU: Spotlight on Cancer Prevention and Early Detection, OECD Health Policy Studies, OECD Publishing, Paris, <https://doi.org/10.1787/14fdc89a-en>

¹² Nutrient profile for sugar must take into account the European Food Safety Authority Scientific Opinion from February 2022, which concludes that there is no safe tolerable upper limit for free and added sugar in the diet due to the links to NCDs and that *free and added sugars* must be kept to 'as little as possible'. <https://efsa.onlinelibrary.wiley.com/action/downloadSupplement?doi=10.2903/j.efsa.2022.7074&file=efs27074-sup-0016-Annex-P.pdf>

immediately to stop consumers being misled.

- 3) **End marketing of junk food to young people under 18.** The OECD/EU report on cancer inequalities is also clear on the role of marketing of unhealthy food in the health crisis we find ourselves in. As mentioned above, many member states are reluctant to tell consumers what to eat. However, in the absence of independent, scientific information the only “advice” consumers are receiving is in the form of aggressive marketing campaigns from the food industry, often targeted at children. It is not the fault of consumers to be pulled into eating Ultra-Processed Foods (UPFs) and food high in fats, sugar, and salt (HFSS) – it is a deliberate strategy by an industry to make their products the most available, the most appealing and often the cheapest option available. We cannot rely on the goodwill of these companies to regulate themselves – the EU Pledge¹³ is proof. Voluntary commitments, where industry can cherry-pick measures and decide themselves on what age group to focus on, do not protect young people from the negative effects of junk food marketing. Ferrero, Mondelez, Unilever, Coca-Cola (and all the rest) continue to push their products through advertising, using influencers and sponsoring sports and cultural events. They target children, but they reach us all. The marketing crosses ages and borders and so the regulations must too.

To achieve these goals the EU institutions must be courageous and committed. The food industry has a lot to lose if legislation is put in place that will protect the consumer, and they will react with force. However, they too know that they need to improve their recipes, reduce sugar, increase fibre, be clear on the ingredients they are using and not lie. Clear and mandatory rules will help those that are trying to lead the way, while forcing others to comply. Evidence shows that strong measures are popular. Ireland’s decision to put a health warning on alcoholic beverages has in fact proven to support the government.¹⁴

foodwatch calls on you to commit to putting nutrition at the centre of a prevention policy for disease in the next mandate and make these key measures a priority for citizen’s health.

Yours sincerely



Joerg Rohwedder

International Executive Director



Suzy Sumner

Head of Brussels Office

¹³ <https://eu-pledge.eu/>

¹⁴ <https://alcoholireland.ie/new-poll-reveals-strong-public-support-for-health-warnings-in-alcohol-labelling-on-product/>