

## Joint position on the draft Commission Regulation on the application of codes of good practice to reduce the presence of acrylamide in food

### 1. Annex II – point 2-c – General requirement to make the colour guides visible and readable for customers

While welcoming the draft Commission Regulation on the application of codes of good practice to reduce the presence of acrylamide in food in its goal, structure and overall approach, HOTREC<sup>1</sup> and UEAPME<sup>2</sup> raise their strong concern about point 2-c of its annex II.

Through their respective Codes of practice, the members of HOTREC and UEAPME already committed to display such colour guides in the cooking area of their premises to raise the awareness of the kitchen staff and to ensure the safety of the food products offered to consumers in their premises in terms of acrylamide content.

Therefore, **the organisations strongly oppose point 2-c of annex II** which requires the concerned food business operators to display the colour guides referred to in the relevant Codes of practice *“at their premises visible and readable for their customer to raise awareness”* for the following reasons:

- It is not their members' responsibility to inform consumers about the safety aspect of the food they prepare themselves with food products sold by other food business operators.
- This requirement would not be effective in diminishing acrylamide content in food prepared by consumers themselves with products sold by other food business operators (i.e consumers would need their own colour guide at home for the specific products they cook)
- The display of these colour guides would be misplaced in many catering establishments (e.g. in a michelin star restaurant cooking fried potato products, customers would find such “colour guide” inappropriate).
- Staff would often lack the expertise to answer detailed question from customers about the colour guide.
- Raising consumer awareness on the health aspect of their behaviour in their private/family environment is a prime responsibility of public authorities.

For the reasons mentioned, HOTREC and UEAPME call on the Commission and the Member States to delete the requirement laid in point 2-c of annex II of the draft Commission Regulation on the application of codes of good practice to reduce the presence of acrylamide in food.

### 2. Recital 4 of the Regulation

The intention of recital 4 is not clear from the text. *“A more frequent sampling and analysis to confirm that the application of the Code of Practice... is necessary for the food business operators producing food products covered by Codes of Practices which contain less obligatory requirements...”*

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<sup>1</sup> HOTREC represents the hotel, restaurant and café industry at European level. The sector counts in total around 1.8 million businesses, being 99,5% small and medium sized enterprises (91% are micro enterprises, i.e. employing less than 10 people). These businesses make up some 60% of value added. The industry provides some 10 million jobs in the EU alone. Together with the other tourism industries, the sector is the 3rd largest industry in Europe. HOTREC brings together 43 national associations representing the interest of this industry in 30 different European countries.

<sup>2</sup> UEAPME is the employers' organisation representing the interests of European crafts, trades and SMEs at EU level. UEAPME is a recognised European Social Partner. It is a non-profit seeking and non-partisan organisation. As the European SME umbrella organisation, UEAPME incorporates around 64 member organisations from 34 countries consisting of national cross-sectorial SME federations, European branch federations and other associate members, which support the SME family. UEAPME represents about 12 million enterprises, which employ around 55 million people across Europe. UEAPME subscribes to the European Commission's Register of Interest Representatives and to the related code of conduct as requested by the European Transparency Initiative.

This seems to indicate that small businesses and hospitality establishments are to test their products more stringently than large ones. This is thankfully not borne out in the Regulation Articles and cannot have been the intention. This section should be clarified, to remove any risk of misunderstandings.

\* \* \*

Done in Brussels on 30 August 2016

Handwritten signature of Christian de Barrin in blue ink.

Christian de Barrin  
CEO of HOTREC

Handwritten signature of Peter Faross in blue ink.

Peter Faross  
UEAPME Secretary General