

criteria now.

Reacting to the General Court verdict, the Green MEP, Michele Rivasi, said: "The European Commission must immediately stop its flawed impact assessment and as a matter of urgency adopt criteria on endocrine disruption which were ready in 2013."

"We cannot lose any more time and we will be vigilant in ensuring the Commission now fulfills its duty."

A spokeswoman for Pesticide Action Network, Angeliki Lysimachou, said: "It seems DG SANTE will do exactly what it was planning to do, make sure the criteria have less impact on the industry."

She argued DG SANTE was "bending the rules of democracy."

Baby milks - MEP sets out reasons for next week's challenge

The European Commission is accused of undermining the international code on the marketing of breastmilk substitutes in a Parliamentary motion opposing its proposed rules on infant and follow-on formula.

The rules contained in a delegated act are being challenged in a resolution which will be put to the vote by MEPs on Tuesday.

The resolution, tabled by the Green MEP, Keith Taylor, says that the marketing of follow-on formula should "not be used as a Trojan horse that will mislead parents".

This is a reference to the practice whereby manufacturers get round restrictions on the marketing of infant formula by using the same branding as for follow-on formula, which can be advertised.

Mr Taylor, a British MEP, also objects to the delegated act because it does not adopt zero tolerance towards pesticide residues, saying infants are particularly vulnerable to endocrine disrupting chemicals.

He also considers that all health and nutrition claims on both infant and follow-on formula should be banned.

In addition, he raises concerns about the benefits of DHA which the Commission text says should be a mandatory ingredient and EFSA said should be included.

In a demand for greater transparency, he calls for publication of a list of all bilateral meetings held by the Commission with interested parties in relation to delegated acts.

The objection is not signed by any other MEPs but some Socialists have indicated they could support it.

Mr Taylor will need a majority of MEPs in the ENVI Committee to support the resolution if it is to go forward

to a vote in the plenary next year.

First big test

This is the first big test of food-related delegated acts in the European Parliament.

The Commission is obliged to consult stakeholders on delegated acts, but member states and MEPs are merely notified of the regulations. A delegated act is put to a formal vote only if there are objections.

Mr Taylor says breastfeeding is linked to a lower risk of childhood obesity, which he says is a bigger cause of death than tobacco, alcohol and physical activity put together.

Referring to the WHO code, he says that "marketing of breastmilk substitutes, commercial follow-on and complementary foods are some of the reasons for low breastfeeding rates".

He also argues that the Commission text gives no legal certainty to member states that they will be allowed to ban or restrict the advertising of follow-on formula.

There is a reference to this in the delegate act but he says it is not clear.

He wants advertising of follow-on formula limited to publications specialising in baby care and scientific publications.

The European Commission is expected to argue that its delegated powers relate only to the composition of the products and not the wider issue of marketing.

There will be a debate on Monday prior to the vote. Some MEPs are reluctant to appear to push women to breastfeed, which may play out against Mr Taylor.

Veto motion criticises sugar content of baby foods and marketing

MEPs will vote next week on whether baby food should contain 30% sugar and call on the European Commission to present its long-awaited report on toddler milks.

The Green MEP, Keith Taylor, has tabled objections to three delegated acts on infant and follow-on formula (see separate story), Foods for Special Medical Purposes (FSMPs) and the composition and information required for processed cereal-based food and baby food.

The way the food industry advertises and markets these products is key in all three objections. The high levels of sugar permitted in baby foods is also a central issue.

The draft resolution on baby foods focusses on the fact that the European Commission has, so far, failed to present the long-awaited report on toddler milks, which many MEPs consider to be unnecessary, expensive

and a major source of sugar.

The draft resolution also objects to the fact that the Commission is allowing baby foods to derive 30% of their energy from sugar, when the WHO recommendation is 10% maximum, and 5% preferred.

The British Scientific Advisory Committee on Nutrition has said no more than 5% of energy should come from free sugars and this is now official government policy.

"The introduction of such foods, especially so early, is likely to contribute to the rising levels of childhood obesity and may affect developing taste preference for children," states Mr Taylor's draft resolution.

Sugar levels for infants should be "kept to a minimum", he insists.

Obesity measures

He says the delegated regulation does not consider sufficient measures to protect infants and young children against obesity and that the allowed maximum sugar level should be substantially lowered, in line with WHO recommendations.

Obesity is a major problem, a bigger cause of death than smoking, alcohol and lack of physical activity, he maintains.

With regard to Foods for Special Medical Purposes, the draft resolution suggests that companies are getting round the existing rules on infant and follow-on formula by marketing products as FSMPs and not including statements about breastfeeding.

He says the advertising of FSMPs should not be permitted and that information for health professionals must be "restricted to scientific and factual matters".

He also wants brands names which are "de facto health claims" to be banned.

All three texts focus on the use of pesticides in the production of these foods and the fact that the International Agency for Cancer Research (IARC) has said glyphosate is probably carcinogenic to humans.

Mr Taylor wants zero tolerance of pesticides.

There will be three separate votes in the Environment, Public Health and Food Safety Committee next Tuesday.

Mr Taylor will require a simple majority in the Committee in order to take the draft resolutions to a vote in the plenary.

This is the first major test of delegated acts on food in the European Parliament.

For delegated acts, there is no vote in the Standing Committee of member state experts. The Commission has a duty to consult stakeholders but Mr Taylor is calling for more transparency about these meetings.

The European Council also has the right to object,

based on a qualified majority.

German food industry CEO on Timmerman's REFIT Platform

Peter Loosen, CEO of the German food industry association, BLL, has been appointed to the new REFIT stakeholder group, chaired by First-Vice President Frans Timmermans, to identify laws which could be improved.

The group, which also includes Ursula Pahl, of the European Consumer organisation, BEUC, is made up of representatives of business, social partners and civil society.

Food laws are thought to be a prime target for the Commission's Better Regulation for Better Results agenda - already the General Food Law is being analysed and the need for nutrient profiles for health claims is being investigated.

The Refit Platform comprises 28 high level government officials and 20 stakeholder members including representatives from the Social Platform, the Danish Chamber of Commerce, Business Europe and Finance Watch.

"The REFIT Platform's expertise will also help us to have an open, transparent and inclusive dialogue on how to best remove any unnecessary burdens and improve the quality of our laws," added Mr Timmermans.

However, such platforms have faced problems in the past because consumer groups and NGOs could not support cutting administrative burdens, fearing cost savings for business would harm food safety, health and environmental protection.

In the final report of the Stoiber High Level Group on Administrative Burdens, a formal dissenting opinion was issued by BEUC, the European Environmental Bureau, the European Public Health Alliance and the Confederation of European Trade Unions (see *EU Food Policy 17 Oct 2014*).

The Platform, which will meet for the first time on 29 January, will examine public suggestions starting from those submitted by stakeholder and citizens via the "Lighten the Load" online tool.

This encourages people to submit ideas on laws which could be axed or changed, specifying how much money or time could be saved.

It will be interesting to see if the Refit Platform will be dramatically different to other Better Regulation groups set up previously.

As well as NGO representatives, such as Mike Clarke, of the Royal Society of Bird Protection, there are also