

(English version)

**Question for written answer E-001805/25
to the Commission**

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(5 May 2025)

Subject: Combating the misuse of national symbols on food packaging

In recent years, there has been a noticeable shift in the purchasing decisions of French consumers, who are attaching increasing importance to the provenance of products. To meet these expectations, the French Parliament passed a law known as 'EGalim 2', which was enacted on 18 October 2021. Article 12 of this law prohibits the display of the French flag, a map of France or any symbol representing France on food packaging when the primary ingredients do not originate in France. However, the French Government never published the necessary implementing decree for this provision, on the grounds that it would be incompatible with the INCO Regulation and Directive 2005/29/EC on unfair business-to-consumer commercial practices.

1. Does the Commission consider it acceptable that jam processed in France containing fruit originating in another Member State can display the flag of the country of processing?
2. Can it confirm whether the INCO Regulation and Directive 2005/29/EC prevent the French State from prohibiting the use of a French flag, a map of France or any symbol representing France on food packaging when the primary ingredients do not originate in France?

Supporter ⁽¹⁾

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Answer given by Mr Várhelyi on behalf of the European Commission
(2 July 2025)

1. Pursuant to Article 26(3) of Regulation No 1169/2011 ⁽¹⁾, where the country of origin or place of provenance of a food is given and it is not the same as that of its primary ingredient, the country of origin or place of provenance of the primary ingredient in question needs also to be declared or, at least, indicated as being different to that of the food.
2. Article 26(3) first subparagraph of the regulation No 1169/2011 sets out conditions for the application of specific labelling requirements for primary ingredients. Where food business operators opt to only indicate the country of origin or place of provenance of the primary ingredient as being different to that of the food, for example because of multiple or variable supply sources and particular production processes, the rules stipulated by Commission Implementing Regulation (EU) 2018/775 ⁽²⁾ are to be followed. The relevant indication should ensure comprehensible information to the consumer.

¹ This question is supported by a Member other than the authors: Mathilde Androuët (Pfe)

⁽¹⁾ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 OJ L 304, 22.11.2011, p. 18-63.

⁽²⁾ Commission Implementing Regulation (EU) 2018/775 of 28 May 2018 laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food OJ L 131, 29.5.2018, p. 8-11.