

(English version)

Question for written answer E-001812/25
to the Commission
Emmanouil Fragkos (ECR)
(6 May 2025)

Subject: Baby formula

Powdered milk for babies aged 1-3 years is considered a ‘general food’ by the EU. Therefore, there are no EU-wide rules on its composition and the level of protection for babies consuming this product is lower than the high level of protection for infants up to one year of age. The same reference values as for adults apply to the nutrition labelling of baby milk.

The European Food Safety Authority (EFSA) ⁽¹⁾ states that fortified formulas, including baby milk, are a means of providing babies and young children with omega-3 polyunsaturated fatty acids, iron, vitamin D and iodine. Internationally, a Codex Alimentarius standard published in early 2024 ⁽²⁾ sets out compositional requirements for the same group of products, including strict criteria on sugar content.

In view of the above:

1. Will the Commission implement the relevant Codex Alimentarius standard for baby formula in order to prevent unsuitable high-sugar products being placed on the European market?
2. If so, by when and how will it do so?
3. If not, could it explain its reasoning for not complying with the global food safety standard?

Submitted: 6.5.2025

Question for written answer E-001857/25
to the Commission
Vytenis Povilas Andriukaitis (S&D)
(8 May 2025)

Subject: Young-child formula

According to the Commission’s report on young-child formulae from 2016 ⁽¹⁾, 17 out of 27 Member States classified the product as a dietetic food, and the majority of Member States and of interested stakeholders were in favour of specific measures for young-child formula. Yet the Commission decided against specific measures at the time. Recently, a relevant global standard regulating *inter alia* young-child formula was published ⁽²⁾.

¹ ¹Scientific Opinion on nutrient requirements and dietary intakes of infants and young children in the European Union, 2013: <https://www.efsa.europa.eu/en/efsajournal/pub/3408>.

² ²STANDARD FOR FOLLOW-UP FORMULA FOR OLDER INFANTS AND PRODUCT FOR YOUNG CHILDREN: https://www.fao.org/fao-who-codexalimentarius/sh-proxy/en/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252Fstandards%252FCXS%2B156-1987%252FCXS_156e.pdf.

¹ ¹Report from the Commission to the European Parliament and the Council on young child formulae, COM(2016)0169, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0169>.

² ²Codex Standard for Follow-Up Formula for Older Infants and Product for Young Children: CXS 156-1987, revised in 2023, which regulates the nutritional composition and labelling, https://www.fao.org/fao-who-codexalimentarius/sh-proxy/en/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252Fstandards%252FCXS%2B156-1987%252FCXS_156e.pdf.

1. Has the Commission gathered any new insights on the matter in recent years, including in the context of its collaboration on the global standard? If so, what insights has it gathered?
2. Is the Commission still against introducing specific measures for composition and labelling in relation to nutrient reference value requirements for young-child formula, despite the opinion of Member States and stakeholders? If so, could the Commission explain its reasons?

Submitted: 8.5.2025

Joint answer given by Mr Várhelyi on behalf of the European Commission
(14 July 2025)

Regulation (EU) 609/2013 ⁽¹⁾ regulates some categories of food that constitute a partial or sole source of nourishment for certain population groups and that are vital for the management of certain conditions and/or are essential to satisfy the nutritional requirements of certain clearly identified vulnerable population groups.

Article 12 of that regulation requires the Commission to analyse in a report, after consulting the European Food Safety Authority (EFSA), the necessity of special provisions for milk-based drinks and similar products intended for young children (young-child formulae).

The 2016 Report ⁽²⁾ concludes that there is no need for specific rules for these foods as the correct and complete application of existing measures of EU food law seems sufficient to adequately regulate the composition of and the communication on the characteristics of the products.

In particular, the report notes that there is no reported safety issue with regard to young-child formulae and refers to EFSA's opinion ⁽³⁾ whereby these products have '*no unique role*' and '*cannot be considered as a necessity to satisfy the nutritional requirements of young children*' when compared to other foods that may be included in their normal diet.

The Commission is aware of the revised Codex Alimentarius standard ⁽⁴⁾, which did not change its position on the opportunity to regulate at EU level young-child formulae.

Its Preamble clarifies that '*The application of the standard should be consistent with national/regional health and nutrition policies and relevant national/regional legislation (...).*'

In light of the Better Regulation principles and the rules on the internal market, the Commission does not intend to propose the adoption of specific rules on young-child formulae.

⁽¹⁾ Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009, OJ L 181, 29.6.2013, p. 35.

⁽²⁾ Report from the Commission to the European Parliament and the Council on young child formulae, COM(2016) 169 final.

⁽³⁾ Scientific Opinion on nutrient requirements and dietary intakes of infants and young children in the European Union, <https://www.efsa.europa.eu/en/efsajournal/pub/3408>.

⁽⁴⁾ Codex Standard for Follow-Up Formula for Older Infants and Product for Young Children: CXS 156-1987, https://www.fao.org/fao-who-codexalimentarius/sh-proxy/es/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252Fstandards%252FCXS%2B156-1987%252FCXS_156e.pdf.