

Brussels, 23 May 2023

PROFEL Position
On the Revision of Jam Directive 2001/113/EC
As part of the Review of “Breakfast directives” proposal COM (2023)201

PROFEL¹ welcomes the proposal’s overall intention to hold up high quality criteria for jam products. However, our sector warns that the proposed increase of fruit content for the categories standard jams / jellies (from 350 g to 450 g/kg) and extra jams / jellies (from 450 g to 550 g/kg) has a disproportionately negative impact at several levels but only negligible health benefits for European consumers. At the same time we call for reasonable transition periods.

Fruit Content

Health Gains

- There would be no tangible health gains in view of the average consumption and function of jams in a standard diet.
- Raising the fruit content would make no difference to the sugar level.
- Price sensitive sectors (food services, caterers) could switch to alternative products outside the category as more fruit content raises the price.
- Today, the market offers a wide range of jams, jellies, and sugar-reduced jams, jellies and fruit spreads, and consumers can already choose from a diversity of products inside and outside the scope of the directive.

Sustainability

- Increasing the fruit content would lead to a higher water input in the recipe, as fruits contain up to 90% of water.
- More water requires greater water evaporation and longer cooking time to reach ‘set point’, resulting in increased energy consumption which would undermine decarbonisation efforts.
- The changing of labelling and packaging would use resources better employed elsewhere.

Consumer preference/Organoleptic properties

- Longer cooking time required for extra jams will lead to deterioration of colour, flavour and texture, interfering with tested recipes, resulting in the loss of familiar tastes for consumers. Furthermore, even negative impact on nutritional values such as vitamins may occur.

¹ PROFEL is the European Association of Fruit and Vegetable Processing Industries, representing over 500 companies in 12 European countries that produce frozen vegetables, dried vegetables, canned vegetables, canned deciduous fruit, compotes, and fruit preserves and jams.

Economic

- Increasing the fruit content by more than 22% would mean that “new” categories would become too expensive to produce (fruit and energy cost increase).
- This increase of production costs would invariably result in a significant price increase for consumers.
- It would create a disbalance in a well-functioning market.

At a time when companies strive towards carbon neutrality, when inflation is rising, energy prices are high, and consumers’ purchasing powers are declining, the sector’s energy consumption and the cost of jam production would go up, without tangible health gains. Should an increase of fruit content nevertheless be unavoidable, in order to limit the negative effects and to protect workable recipes, it should in no case be more than 50g rather than the 100 g currently proposed.

Transitional Period

Given that Member States are granted 18 months for the transposition into national legislation, a sufficient transitional period should be no less than 48 months.

Please find attached a background paper with additional technical adjustments proposed to the draft legislation, and further explanation to sustain the above arguments.

PROFEL is the European Association of Fruit and Vegetable Processing Industries, representing over 500 companies in 12 European countries that produce frozen vegetables, dried vegetables, canned vegetables, canned deciduous fruit, compotes, and fruit preserves and jams. PROFEL member companies annually produce 485,000 Tons of fruit preserves and jams.

ANNEX

PROFEL BACKGROUND PAPER AND PROPOSED TECHNICAL AMENDMENTS

I PROPOSED TECHNICAL ADJUSTMENTS/CLARIFICATIONS TO THE PROPOSAL

Fruit juice – alignment for citrus fruit juice with other juices as ingredients

We welcome the insertion of "whether or not concentrated" for "juice of citrus fruits" in Annex II of the Directive as a necessary clarification. For consistency reasons, we propose to extend the use of concentrates also to other fruit juices that may be used as ingredients, i.e. juice from red fruits. This is standard practice just as it is for juice from citrus fruits. Annex II should therefore also describe the possibility of using concentrate for indentations 2, 4 and 5, as the justification in the proposal's explanations equally applies to other juices.

Reduced sugar jams

It is not clear from the proposal's wording that we are dealing here with products that bear a claim regarding a reduced sugar content and meet the requirements of Regulation (EC) No. 1924/2006 in this respect. Therefore, the wording should be clearer: "...*except for those products that bear a claim as regards reduced sugar and fulfil the requirements of Regulation (EC) No 1924/2006 of the European Parliament and of the Council*"

Declaration for citrus marmalades

The proposal to change today's designation "marmalade" to "citrus marmalade" would result in misleading labelling, for example:

"Orange citrus marmalade", or "Lemon citrus marmalade". This double reference to citrus fruits in the name is superfluous, and the proposal's wording should therefore be adjusted in order to further allow the currently used designations "orange marmalade", "lemon marmalade".

II FRUIT CONTENT

Health Gains

The proposal claims that the increase of fruit content would have beneficial health effects. Looking at the average diet, the overall health gain would in fact be negligible:

Based on the average annual per capita consumption of 1-1,5 kg of jam/marmalade, the increase over one year would be by only 150 g of fruit (=1 small apple). That is equivalent to 0,4 g/day. By contrast, WHO's 5-a-day recommendation is 2 portions of fruit of 80 g.

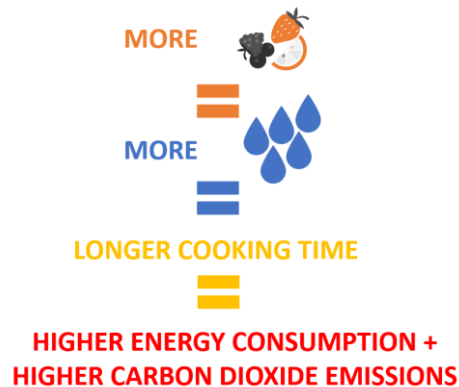
The content of free sugars is only reduced by approx. 0,2 g per 100 g of extra jam (depending on the type of fruit), whilst the soluble dry matter remains the same. Thus, raising the fruit content would make no difference to the sugar level.

Furthermore, very price sensitive sectors such as hospitals, canteens, youth hostels and economic hotels could switch to alternative products outside the category, potentially cancelling further the minimal health gains achieved.

Sustainability

High energy and time expenditure

Increasing the fruit content of extra jams would lead to a significantly higher water input in the recipe, as fruits contain up to 90% of water. This means a greater water evaporation during extra jam processing to reach the 'set point', resulting in an increase in energy consumption:



Example:

Production of traditional extra jam with **450 g** fruit and 60 % soluble solids:

- ⇒ In order to achieve 60 Brix, for the production of 1000 kg extra jam, **8 kg** of water are boiled off in this recipe in accordance with practical requirements.

Production of an extra jam with **550 g** fruit and 60 % soluble solids:

- ⇒ To achieve 60 Brix, for the production of 1000 kg extra jam, **98 kg** of water would have to be boiled off in this recipe, which would require a lot of energy and time.

Recipe 1 450g fruit per 1000g product				
	recipe		ingredients	
	kg		brix	Brix in recipe
<i>fruit</i>	450		10	4,5
<i>sugar</i>	548		100	54,4
<i>pectine</i>	5		100	0,5
<i>Lemon juice concentrate</i>	5		40	0,2
	= 1008			59,5
<i>Boil off/reduce to</i>	↓			↓
	1000	Final brix		60,0

Recipe 2 550g fruit per 1000g product				
	recipe		ingredients	
	kg		brix	Brix in recipe
<i>fruit</i>	550		10	4,5
<i>sugar</i>	538		100	49,0
<i>pectine</i>	5		100	0,5
<i>Lemon juice concentrate</i>	5		40	0,2
	= 1098			54,6
<i>Boil off/reduce to</i>	↓			↓
	1000	Final brix		60,0

Consumer preference/Organoleptic properties

Increasing the fruit content from 450 g to 550 g per 1000 g of finished extra jam product leads to:

- ⇒ loss of quality (organoleptic deterioration) and massive interference in well-established and tested recipes due to adverse effects on texture and chunkiness as well as loss of natural fruit flavour and colour.
- ⇒ disproportionate difficulties in the production of extra jam, which will lead to a significant reduction of the share of extra jam in the overall market

Economic Impact

Increasing the fruit content for jams and extra jams would lead to a significant increase in the price of the products for the consumer, because of an increase of production costs:

- the higher raw material costs (fruit),
- longer cooking time,
- higher energy costs ,
- time-consuming slower production process (higher line costs) ?

Standard jams (350g/kg):

- Are supplied to a big B2B market, accounting for +/- 30% of jam consumption.
- More fruit would naturally have a negative impact on price – and the prices have already increased significantly over the last years
- Standard jams are a price-sensitive category – with products going into food service, catering, canteens, hospitals and care homes. In fact, it is thanks to the current EU directive that simple, traditional and affordable products are still an important component of food service breakfasts.
- Marketability of a new more expensive “standard jam” with the higher fruit content would result in sharp decline of this category, or even “push” today’s 350g/kg products “outside” the legislation. In other words, it is likely that these particularly price sensitive markets would switch to alternative products outside the category

Extra jams (450 g/kg):

- Extra jams account for the vast majority of products in retail today, and have a qualitatively high image with the consumer.
- This high market importance of the products in the "extra" category needs to be maintained.
- Today’s products in the "extra" category not only have to meet the highest requirements in terms of fruit content, but also the highest requirements in terms of the quality of the fruit used and the quality of ingredients.
- Should the introduction of a de facto unattainably high minimum fruit content for extra jam lead to a renaming of the products to "jam", this would also have a direct impact on product quality, as more additives, further ingredients and other fruit qualities are permitted for "jam" than for "extra jam".

III CONCLUSION

The provisions of the current Jam Directive 2001/113/EC (and of its predecessor) have for more than 40 years defined the most important parameters for high quality jams, extra jams and similar products. This applies to raw materials, the manufacturing process, as well as for the selection of the fruit, the minimum quantities of fruits and the fruit processing. Keeping these high-quality provisions for traditional products such as jams is both in the interest of the European producers and European consumers.

EU jam producers consider Directive 2001/113/EC as the backbone of the industry in terms of quality standards, benchmarking and fair competition, and important for consumers in their expectation regarding a product denominated as jam or marmalade. All other similar products on the market are both measured against these quality benchmarks.

The existing directive has allowed jams & extra jams to remain the largest category of fruit spreads on the market with the most restrictive list of ingredients. The category has one of the cleanest labels in the supermarkets and remains very close to “home-made” similar products. We fear that the proposed changes will negatively impact this valuable situation.

Raising the minimum compulsory fruit content by over 22% would - due to the higher production costs and increased prices for consumer - result in a reduced market significance of both the “standard jam” and “extra jam” categories, and, as a consequence, also in a lower significance of the Jam Directive.

Against today’s economic context and the production cost explosion of the last few years, our sector asks for the above concerns to be taken into consideration in order not to disbalance a well-functioning market segment with its many traditions that reflect Europe’s cultural diversity.
