



MINISTRY  
OF AGRICULTURE,  
FISHERIES AND FOOD

**REGULATORY IMPACT ANALYSIS REPORT ON THE  
DRAFT ROYAL DECREE AMENDING AND REPEALING  
VARIOUS PROVISIONS ON FOOD**

**EXECUTIVE SUMMARY**

<b>PROPOSING MINISTRY</b>	Ministry of Agriculture, Fisheries and Food.  Ministry of Health.  Ministry of Social Rights, Consumer Affairs and 2030 Agenda.	<b>Date</b>	07/07/2025
<b>TITLE OF THE LAW.</b>	Royal Decree amending and repealing various provisions on food.		
<b>TYPE OF REPORT.</b>	Normal <input checked="" type="checkbox"/> Abbreviated <input type="checkbox"/>		
<b>TIMELINESS OF THE PROPOSAL</b>			

<p><b>MATTER REGULATED</b></p>	<p>Amendment of the following Laws:</p> <ul style="list-style-type: none"> <li>- Amendment to Spanish Food Code adopted by Royal Decree 2484/1967 of 21 September 1967.</li> <li>- Technical health regulations for the manufacture, circulation and trade of edible fats (animal, vegetable and anhydrous), margarines, minarines and fatty preparations, contained in Royal Decree 1011/1981 of 10 April 1981.</li> <li>- Technical-Health Regulations for the Production, Manufacture, Circulation and Trade of Biscuits, contained in Royal Decree 1124/1982 of 30 April 1982.</li> <li>- Technical and Health Regulations for the Manufacture and Sale of Horchata de Chufa, contained in Royal Decree 1338/1988, of 28 October 1988.</li> <li>- Quality standard for the production and marketing of vinegars, contained in Royal Decree 661/2012 of 13 April 2012.</li> <li>- Quality standard for meat derivatives, contained in Royal Decree 474/2014, of 13 June 2014.</li> <li>- Quality standard for table olives, contained in Royal Decree 679/2016 of 16 December 2016.</li> <li>- Quality standard for the different categories of natural cider and cider, contained in Royal Decree 72/2017 of 10 February 2017.</li> <li>- Quality standard for bread, contained in Royal Decree 308/2019, of 26 April 2019.</li> <li>- Royal Decree 773/2023 of 3 October 2023 regulating the processing aids used in food processing and production processes.</li> </ul> <p>Repeal of the following laws:</p>
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<p><b>OBJECTIVES PURSUED</b></p>	<p>The purpose of the draft regulation is to amend and repeal several regulatory provisions on food with the following objective:</p> <ul style="list-style-type: none"> <li>• Update certain parameters according to the productive and technological reality of the current market of food products in our country.</li> <li>• Update and include new product definitions and categories, in response to new consumer demands and trends.</li> <li>• Provide greater legal certainty for operators.</li> <li>• Eliminate certain obsolete and unnecessary administrative procedures.</li> <li>• Repeal obsolete regulations or those superseded by more current legislation, aiming to adapt them to current needs.</li> </ul>
<p><b>MAIN ALTERNATIVES CONSIDERED</b></p>	<p>The draft regulation is considered necessary to adapt the national regulations on food quality to the productive and technological reality of the Spanish agri-food sector, allowing its evolution and promoting innovation as one of the basic pillars of the competitiveness and positioning of our sector.</p> <p>In the same way, it is intended to adapt food regulations to new consumer demands and, in certain cases, to the regulatory framework of the European Union, guaranteeing, in any case, the principle of transparency and consumer information.</p> <p>This draft is also considered necessary to ensure an appropriate regulatory framework that provides legal certainty to operators, under conditions of fair competition, all for the benefit of the competitiveness of our agri-food sector.</p> <p>On the other hand, and in the interests of administrative simplification, it has been decided to approve a single Royal Decree that addresses all the proposed amendments to the various standards affected, since they are specific technical amendments.</p>

<b>CONTENT AND LEGAL ANALYSIS</b>	
<b>TYPE OF LAW</b>	Royal Decree amending basic regulations.
<b>STRUCTURE OF THE LAW</b>	This draft contains: <ul style="list-style-type: none"><li>- Descriptive part.</li><li>- Eleven articles.</li><li>- A sole transitional provision.</li><li>- A sole repealing provision.</li><li>- Two final provisions.</li></ul>

<p><b>MANDATORY REPORTS</b></p>	<ul style="list-style-type: none"> <li>- Report from the General Technical Secretariat of MAPA, the Ministry of Social Rights, Consumer Affairs and 2030 Agenda and the Ministry of Health (Article 26(5) paragraph 4 of Law 50/1997 of 27 November 1997).</li> <li>- Report of the Ministry of the Presidency, Justice and Relations with the Courts (Article 26(9), on the quality of regulatory activity, of Law 50/1997 of 27 November 1997). <b>(Pending)</b></li> <li>- Report of the Ministry of Territorial Policy and Democratic Memory (art. 26(5), paragraph six, of Law 50/1997 of 27 November 27, relating to the powers of the Autonomous Communities and the State).</li> <li>- Report of the Ministry of Economy, Trade and Enterprise (Article 26(5) first paragraph of Law 50/1997 of 27 November 1997).</li> <li>- Report of the Interministerial Commission for Food Management (CIOA) <b>(Pending)</b></li> <li>- Notification to the European Commission, in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, and in accordance with Article 45 of Regulation (EU) 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, as it contains mandatory provisions on food information. <b>(Pending)</b></li> <li>- Opinion of the Council of State. <b>(Pending)</b></li> </ul>
<p><b>HEARING PROCEDURE</b></p>	<ul style="list-style-type: none"> <li>- Prior public consultation (Article 26(2), Law 50/1997 of 27 November 1997).</li> <li>- Hearing and public information (Article 26(6) of Law 50/1997 of 27 November 1997 and Article 133(2) of Law 39/2015 of 1 October 2015).</li> <li>- Direct consultation with entities in the sectors directly affected (Article 26(6) of Law 50/1997 of 27 November 1997).</li> <li>- Consultation of the Autonomous Communities (Article 3(1)(k) of Law 40/2015 of 1 October 2015, on the Legal Regime of the Public Sector).</li> </ul>

IMPACT ANALYSIS		
<b>COMPLIANCE WITH THE DISTRIBUTION OF POWERS</b>	This standard is issued under the provisions of Article 149(1)(13) and (16) of the Spanish Constitution, which grant the State exclusive jurisdiction in matters of the bases and coordination of the general planning of economic activity, and the bases and general coordination of health, respectively.	
<b>ECONOMIC AND BUDGETARY IMPACT</b>	General impact on the economy.	Positive effects on the agri-food subsectors directly affected by the draft standard by adapting the regulations to the technological and productive reality of the Spanish agri-food sector, allowing development and innovation in response to new trends and consumer demands, as well as providing greater legal certainty, eliminating obsolete or unnecessary administrative procedures, and improving the information provided to the consumer in the labelling of food products.
	With regard to competition	<input type="checkbox"/> The standard has no significant impact on competition. <input checked="" type="checkbox"/> the standard has positive impacts on competition. <input type="checkbox"/> The standard has negative impacts on competition.

<p>With respect to administrative burdens</p>	<p><input type="checkbox"/> It entails a reduction in administrative burdens. Estimated quantification: ____euros_</p> <p><input type="checkbox"/> Incorporates new administrative burdens. Estimated quantification: ____euros</p> <p><input checked="" type="checkbox"/> Does not affect administrative burdens.</p>
<p>From the point of view of budgets, the regulation:</p> <p><input type="checkbox"/> Affects General State Administration budgets.</p> <p><input type="checkbox"/> Affects the budgets of other Territorial Administrations</p>	<p><input type="checkbox"/> Involves an expense: Estimated quantification: €0</p> <p><input type="checkbox"/> Involves an income. Estimated quantification: €0</p>
<p><b>GENDER IMPACT</b></p>	<p>The Standard has the following gender impact</p> <p>Negative <input type="checkbox"/></p> <p>None <input checked="" type="checkbox"/></p> <p>Positive <input type="checkbox"/></p>
<p><b>OTHER IMPACTS CONSIDERED</b></p>	<p>There are no new impacts in regard to the environment, equal opportunities, non-discrimination or universal access for persons with disabilities.</p> <p>Nor does it have an impact on childhood, adolescence, nor on the family.</p> <p>The draft contains no provisions that may be considered to be in conflict with Law 20/2013, of 9 December 2013, on the Guarantee of Market Unity.</p>
<p><b>OTHER CONSIDERATIONS</b></p>	

## **REGULATORY IMPACT ANALYSIS REPORT ON THE DRAFT ROYAL DECREE AMENDING AND REPEALING VARIOUS PROVISIONS ON FOOD**

On 8 January 2025, the processing of this draft regulation began, in accordance with Royal Decree 931/2017, of 27 October 2017, which regulates the Regulatory Impact Analysis Report for the preparation of this document.

### **I. TIMELINESS OF THE STANDARD**

#### **I.1 MOTIVATION**

Spain is an agri-food power, both in the European Union and internationally, being the fourth largest European exporter and the seventh largest exporter worldwide.

The importance of this sector in our country is also evident in view of the social impact generated by this activity, acting as the backbone of the territory and a population fixer, in most cases, in eminently rural areas, which is particularly relevant in terms of rural development.

In the same way, agri-food production in our country is a benchmark in terms of sustainability, since it is closely linked to the territory, allowing for the preservation of a wealth of biodiversity associated with the wide variety of agricultural ecosystems that exist in our country and which, in many cases, maintains ancestral production practices and traditions.

Moreover, the fourth final provision of Law 28/2015 of 30 July 2015 on the protection of food quality authorises the government to approve quality standards for food products, with the aim, among others, of adapting to European Union regulations and of simplifying, modernising and enhancing existing standards, as well as improving the competitiveness of the sector, including advancements brought about by technological innovation.

In this context, the Ministry of Agriculture, Fisheries and Food is continuously updating and renewing the different regulatory provisions on food quality, as one of the fundamental axes for continuing to guarantee the competitiveness of our food sector, an international benchmark.

## **I.2 AIMS AND OBJECTIVES**

This draft Royal Decree seeks the amendment and repeal of several regulatory provisions in the field of food quality, with the following objectives:

- Update certain food quality parameters in accordance with the technological and productive reality of the sector and the current market for food products.
- Update and include new definitions and categories of products, in response to new trends and consumer demands, in order to allow the adaptation of the Spanish food sector to the reality of the current market, allowing innovation and ensuring its competitiveness.
- Eliminate certain obsolete or unnecessary administrative procedures.

- Repeal obsolete regulations that have been superseded by subsequent regulation, eliminating regulatory duplication and increasing legal certainty for operators.

In particular, the following regulations have been amended:

- Decree 2484/1967 of 21 September 1967 approving the text of the Spanish Food Code: the content of certain sections, relating to products with more current specific standards, is replaced by such standards.
- Royal Decree 1011/1981, of 10 April 1981, approving the technical and health regulations for the manufacture, circulation and trade of edible fats (animal, vegetable and anhydrous), margarines, minarines and fatty preparations: the definition of 'fatty preparations' is to be amended to make it more precise, and certain obsolete provisions are to be deleted.
- Royal Decree 1124/1982, of 30 April 1982, approving Technical and Health Regulations for the Production, Manufacture, Circulation and Trade of Biscuits: the maximum permitted ash limit is eliminated.
- Royal Decree 1338/1988, of 28 October 1988, approving the Technical and Health Regulations for the Manufacture and Sale of Horchata de Chufa: the manufacture of horchata without added sugars or with a reduced sugar content is allowed. The use of sweetening and colouring additives in all types of horchata defined by this regulation is prohibited.
- Royal Decree 661/2012, of 13 April 2012, laying down the quality standard for the production and marketing of vinegars: the list of permitted ingredients for vinegar has been extended, as well as the margin of tolerance permitted in the indication of the degree of acidity on the label for vinegars with a Protected Designation of Origin (PDO) or Protected Geographical Indication (PGI), in accordance with their production situation.
- Royal Decree 474/2014, of 13 June 2014, approving the quality standard for meat derivatives: the definitions of the term 'natural' and 'artisanal production' are included in the labelling, as well as the rules for their use; the definition of 'turkey ham' (*'jamón de pavo'*) is introduced and the definition of 'Mortadella Bologna' (*'Mortadela bolonia'*) is removed from the list of names established by usage.
- Royal Decree 679/2016, of 16 December 2016, establishing the quality standard of table olives: it is specified that, in the event that the filling is

made in the form of paste, it will be mandatory to indicate this characteristic in the list of ingredients, as well as to detail the ingredients of the paste, allowing the product name to indicate only the characteristic ingredient, in accordance with the production tradition and recognising the list of names established by usage in our country.

- Royal Decree 72/2017, of 10 February 2017, approving the quality standard for the different categories of natural cider and cider: it is intended to adapt certain parameters to the productive reality of the ice cider category and to restore certain practices that had been erroneously repealed.
- Royal Decree 308/2019, of 26 April, approving the quality standard for bread: the scope of this standard is extended to products that are gluten free or have a reduced gluten content, and also includes, as permitted, ingredients for common gluten-free bread, those used as a substitute for flour and necessary to give it its intrinsic attributes.
- Royal Decree 773/2023 of 3 October 2023, regulating processing aids used in food processing and production processes: apple must be incorporated as a food in which the fining agents currently authorised for the production of natural cider can be used as aids. On the other hand, the opportunity is taken to correct errors detected in the expression of units to establish the maximum level of organochlorine in the wash water and indicate the need to consult the competent bodies when amending the specifications for the identity and purity of the aids included in the Royal Decree.

And the following shall be repealed:

- Royal Decree 1045/1990 of 27 July 1990 regulating the permitted tolerances for the indication of alcoholic strength by volume on the labelling of alcoholic beverages intended for the final consumer.
- Order of 23 January 1974 regulating the manufacture, circulation and trade of sangria and other beverages derived from wine.
- Order of 31 January 1978 regulating aromatised wines and bitter soda.
- Order of 11 December 1986 on the regulation of beverages derived from wine.

### **I.3 PRINCIPLES OF SOUND REGULATION**

The content of this Royal Decree meets the principles of sound regulation set out in Article 129 of Law 39/2015 of 1 October 2015 on Common Administrative Procedures in Public Administration.

Thus, by virtue of the principles of necessity and effectiveness, this regulation is justified by the need to establish adequate management of the sectors concerned and to ensure that the amendments to the regulations are applied uniformly throughout the national territory, which guarantees the general interest. It has also been adapted to the principle of proportionality, since there is no other alternative that is less restrictive of rights or that imposes fewer obligations on the recipients.

The principle of efficiency has also been taken into account by establishing a regulation that does not entail an increase in administrative burdens, as justified in section VI.3, and which, moreover, provides greater legal certainty for operators.

In accordance with the principle of transparency, in addition to the public hearing, the Autonomous Communities, as well as the entities representing the sector concerned and consumers, have been consulted during the processing of this provision.

Finally, this Royal Decree adheres to the principle of legal certainty by maintaining consistency with the rest of the applicable legal framework and providing the necessary transitional periods for operators to adapt.

### **I.4 ALTERNATIVES**

The following alternatives were considered:

- Amend each of the standards separately.

In the interests of administrative simplification, it has been decided to approve a single royal decree that addresses all the proposed amendments, since they are specific technical amendments.

- Maintain the current situation.

This alternative does not allow the objectives defined in point I.2 to be achieved, significantly limiting the development of the affected sectors.

Thus, the draft regulation is considered necessary to adapt national food quality regulations to the productive and technological reality of the sectors, as well as

to adapt food regulations to the new demands of consumers and, in certain cases, to the regulatory framework of the European Union, ensuring, in all cases, the principle of transparency and consumer information.

This draft is also considered necessary to ensure an appropriate regulatory framework that provides legal certainty to operators, under conditions of fair competition, all for the benefit of the competitiveness of our agri-food sector.

In conclusion, the terms in which this draft regulation is proposed are considered necessary and appropriate for the fulfilment of the objectives pursued.

## **I.5 ANNUAL REGULATORY PLAN**

The draft standard is not covered by the Annual Regulatory Plan for the year 2024, approved by Agreement of the Council of Ministers of 26 March 2024.

This is because, at the time when said Annual Regulatory Plan was drawn up, the compilation of all the standards to be amended had not yet been defined.

## **II. CONTENT**

### **II.1. STRUCTURE AND CONTENT OF THE PROJECT**

The draft Royal Decree consists of descriptive part, eleven articles, a transitional provision, a repealing provision, and two final provisions.

The descriptive part describes the amendments made to the different standards concerned, as well as the regulatory replacements and repeals proposed.

In particular, the proposed modifications, which affect the Decree approving the Spanish Food Code, are listed and justified; in the technical and health regulations for the manufacture, circulation and trade of edible fats (animal, vegetable and anhydrous), margarines, minarines and fatty preparations; the Technical and Health Regulations for the Manufacture, Circulation and Trade of Biscuits; the Technical and Health Regulations for the Manufacture and Sale of Horchata de Chufa; the quality standard for the preparation and marketing of vinegars; the quality standard for meat derivatives; the quality standard for table olives; the quality standard for the different categories of natural cider and cider; the quality standard for bread; and Royal Decree 773/2023 of 3 October 2023

regulating the technological aids used in the processes of manufacturing and preparing food.

Also listed are the regulatory repeals contemplated in the draft, which include the Royal Decree regulating the permitted tolerances for the indication of alcoholic strength by volume on the labelling of alcoholic beverages intended for the final consumer, in addition to several standards concerning aromatised wine products (specifically, the regulations relating to the circulation and trade of sangria and other wine-derived beverages, aromatised wines and bitters, and wine-derived beverages).

The descriptive part continues, giving an account of the mandatory procedures that have been carried out during the processing of the royal decree, as well as its adherence to the principles of good regulation referred to in Article 129 of Law 39/2015, of 1 October 2015, on the Common Administrative Procedure of Public Administrations.

It ends by referring to the jurisdictional authority under which the Royal Decree is issued.

Article 1 sets out the objective of the Royal Decree, which, as stated above, is to amend various quality standards and technical and health regulations in order to update their content and repeal those provisions which no longer apply, as there are new regulations on the products concerned.

Article 2 deals with the amendment of the Spanish Food Code, approved by Decree 2484/1967, of 21 September 1967, in particular by replacing the content of the sections relating to animal fats, vegetable fats, hydrogenated edible fats and processed fats by the subsequent specific regulation available to these products, in particular the Technical-Health Regulations for the production, circulation and trade of edible fats (animal, vegetable and anhydrous), margarines, minarines and fatty preparations.

Similarly, the content of the section on beers is replaced with its specific regulation: the quality standard for beer and malt drinks.

Article 3 addresses the modification of Royal Decree 1011/1981 of 10 April 1981, approving the technical and health regulations for the production, circulation and trade of edible fats (animal, vegetable and anhydrous), margarines, minarines and fatty preparations.

In particular, the definition of 'fatty preparations' is amended, including the condition that they must contain, as a primary ingredient, one or more of the

edible fats authorised in the standard itself, with the aim of aligning this definition with the prohibition in force in Spain on the blending of olive oils with other edible vegetable oils, and preventing such blends from being produced under the name of a fatty preparation. Since reference to a fundamental ingredient is no longer made, but the concept of 'primary ingredient' is adopted in the horizontal labelling regulation (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), Article 9 concerning the definition of a fundamental ingredient should be repealed.

In the same way, the obsolete obligation for the processing companies to present the details of the characteristics of the product to the corresponding Directorate General of the Ministry of Labour, Health and Social Security, both for other animal fats and for other vegetable fats, is eliminated. This obligation is not in force at present and Articles 18 and 23 of the Royal Decree should therefore be repealed in the interests of clarity and legal certainty. Specifically, the obligation to submit the declarations of the products and record them in their health registration file is already contained in Decree 797/1975, of 21 March 1975, which falls within the authority of the Directorate-General for Health in food matters, and is maintained in Royal Decree 2825/1981, of 27 November 1981, on the health registration of foodstuffs. However, with the approval of Royal Decree 1712/1991, of 29 November 1991, on the General Health Register of Foodstuffs, which repeals the aforementioned Royal Decree 2825/1981, the obligation to register all foods disappears, so that this Royal Decree already only requires, in addition to that of industries and establishments, the registration of certain foods (food preparations for dietary and/or special regimes, natural mineral waters and spring waters). Subsequently, Royal Decree 1712/1991 has been repealed and replaced by Royal Decree 191/2011, of 18 February 2011, on the General Health Register of Food Businesses and Foodstuffs (*Registro General Sanitario de Empresas Alimentarias y Alimentos* - RGSEAA), currently in force, which no longer requires the registration of any type of product in the register, so that only food establishments and businesses are subject to registration in the RGSEAA.

Article 4 of Royal Decree 1124/1982 of 30 April 1982, approving Technical and Health Regulations for the Production, Manufacture, Circulation and Trade of Biscuits.

In this case, the maximum ash limit established for these products is removed. This is because this parameter does not respond to the reality of the sector at the present time since, in the production of biscuits and as a result of the evolution of consumption, new ingredients of higher added value have been incorporated at the nutritional level, such as flour from various cereals, wholegrain flours, natural fibres and nuts, among others, which has caused the ash content in these specialities to sometimes exceed the limit laid down by

regulation. It is therefore appropriate to eliminate them, in order to promote the development and nutritional improvement of these products, in line with the new demands of society.

Article 5 deals with the amendment of Royal Decree 1338/1988 of 28 October 1988, approving the Technical and Health Regulations for the Manufacture and Sale of Horchata de Chufa, in order to allow the manufacture of horchata without added sugars or with a reduced sugar content, in order to adapt the regulations to consumer demand for products with lower sugar content, in line with health and dietary recommendations. In order to preserve the quality of horchata with modified sugar content, taking into account the concern of the horchata sector, it is appropriate to prohibit the use of sweeteners and colourings in horchata regulated by this standard, thus distinguishing them from other refreshing drinks based on tiger nuts.

The sixth article modifies Royal Decree 661/2012 of 13 April 2012, which establishes the quality standard for the production and marketing of vinegars.

In particular, concentrated grape must and rectified concentrated grape must are added as optional ingredients for vinegar, since they are both ingredients already permitted for 'balsamic vinegar'. Similarly, fresh grape must with fermentation arrested by the addition of alcohol as an optional ingredient for vinegar with a protected designation of origin (PDO) or protected geographical indication (PGI), since its use corresponds to a traditional practice that is approved in the product specifications of several Protected Designations of Origin for vinegar.

In addition, the difference accepted in the indication of the degree of acidity for vinegars covered by a Protected Designation of Origin (PDO) or a Protected Geographical Indication (PGI) is increased from 0.2° to 0.5°. This is because the standard itself provides for an exception for these vinegars with regard to the limit of residual alcohol, allowing these specific products to meet the limit specified in their specifications. The residual alcohol may evolve over its shelf life, leading to an increase in the acetic acid content, and it is therefore appropriate to establish a higher tolerance as regards the indication of the degree of acidity for these vinegars.

Royal Decree 474/2014, of 13 June 2014, approving the quality standard for meat derivatives.

Specifically, it is specified that, in those cured hams and shoulders (*paletas*) in which the marking of the date of entry into the salt has disappeared as a result of having undergone any processing (boning, slicing, fractioning, etc.), it will be possible to know, through the product batch shown on the labelling and by traceability, the salting batches that make up that product batch and,

consequently, the information on the marking for that product. This amendment results from an agreement adopted by the control authorities at the Food Quality Coordination Board of the Ministry of Agriculture, Fisheries and Food (*Proposal to adapt the agreement on the interpretation of Article 4 of Royal Decree 1079/2008 regulating the marking of hams and shoulders and the production periods for the use of certain indications on the labelling. Date of the agreement: 22 October 2008. Updated 2014*).

Furthermore, a new article is included to regulate the use of the term 'natural' in the labelling of meat derivatives, as it is a term that is increasingly appreciated and in demand by the consumer, and since it is already regulated in other quality standards for food products such as, for example, cider or yoghurt.

Similarly, a new article is included to regulate the artisan production of meat products, as well as the use of the term 'artisan production' or 'handcrafted' on the label. It is also a term appreciated by the consumer, constituting a factor of differentiation and contributing to the increase in its added value. It is also regulated by specific standards for certain products, such as beer.

On the other hand, 'turkey ham' is included in the list of traditional products and names established by usage set out in Annex II to the standard since it is a product that has a large presence on the market, is clearly known and identified by the consumer, and whose name is fully established by usage.

Finally, 'Mortadella Bologna' has been removed from the list of designations established by use, since the Protected Geographical Indication 'Mortadella Bologna' is recognised and registered in the European Union, which could create confusion for consumers with regard to products not covered by this PGI from Spain.

Article 8 amends Royal Decree 679/2016, of 16 December 2016, establishing the quality standard for table olives.

In particular, the wording of Article 12 thereof, on the provision of food information to consumers, is clarified to specify that, in the case of stuffed olives, where the filling is in the form of a paste, the name of the product may only indicate the characteristic ingredient of the product, and it must be clearly indicated in the list of ingredients that the filling is in the form of paste, as well as the ingredients thereof.

This makes it possible to ensure that consumers are properly informed of the characteristics of the olive filling, as required by the standard and the legislation on food information provided to consumers in the European Union, but by

allowing the continued use of denominations established by use in our country, such as 'anchovy-stuffed olives' (*'aceituna rellena de anchoa'*).

Royal Decree 72/2017, of 10 February 2017, approving the quality standard for the different categories of natural cider and cider.

In particular, certain practices permitted for apple musts are being reinstated, as well as in the different categories of natural cider, which had been erroneously eliminated by removing from this standard the aids authorised in the production of cider, following the approval of Royal Decree 773/2023, of 3 October 2023, regulating processing aids used in food processing and production processes. The aids authorised for the production of cider are thus regulated by the new horizontal regulation governing processing aids, but, in the interests of legal certainty, the technological practices authorised for the production of cider must continue to be regulated in their corresponding quality standard, and they should therefore be restored in Royal Decree 72/2017, of 10 February 2017.

Furthermore, an exception has been established regarding the maximum methanol limit permitted for ice ciders, which will be 400 mg/l, compared to the 200 mg/l established for the rest of the categories. The purpose of this amendment is to adapt the regulations to allow the marketing of this product, which has unique characteristics derived from the technology used for its production (it is made from pre-frozen apples or from must subjected to freezing) and whose methanol content is generally higher than that laid down in the standard.

The tenth article modifies Royal Decree 308/2019, of 26 April 2019, which approves the quality standard for bread.

This amendment includes, both for the category of 'common bread' and for the category of 'special bread', gluten-free bread, being defined as bread which, in accordance with those definitions, in each case has been made with gluten-free flour, either naturally or because it has undergone a special treatment to reduce its gluten content, or in which flour has been replaced by other gluten-free ingredients naturally, even though they are the majority in its composition.

This amendment is intended to extend the scope of this standard to include these gluten-free products, so that they can use the name 'bread', given the importance that these products have for people with gluten intolerance, and responding to the demands of this group, especially considering that bread is a basic product.

As a result of this amendment, those ingredients used to replace the flour and necessary to give it its intrinsic attributes are now included as permitted ingredients in common bread.

The eleventh article deals with the amendment of Royal Decree 773/2023 of 3 October 2023, regulating the processing aids used in the processes of production and obtaining food, in order to incorporate apple must as a food for the preparation of which the clarifiers that can currently be used for the production of natural cider will be authorised. Indeed, those processing aids that are currently authorised for the production of natural cider must also be authorised for the production of apple must, and to this end, it is necessary to incorporate apple must next to natural cider in the first column of the rows corresponding to clarifying agents, namely bentonite, casein, egg white or egg albumin, edible gelatine, skimmed milk, tannins and the soils of Lebrija and Pozaldez.

This Article also addresses a correction detected in Royal Decree 773/2023 as regards the expression of the units of residues of organochlorine substances in the washing water in the associated entries in Part B of Annex I, which should be changed from 'ppm' to 'µg/litre'.

It is also required that where there is a modification of the identity and purity criteria for processing aids, the required reports must be obtained from the competent bodies.

The transitional provision provides that products placed on the market before the entry into force of the standard, in accordance with the rules in force until then, may continue to be marketed until stocks are exhausted, provided that twelve months have elapsed since that date. This makes it possible to ensure a proportionate transition to the new regulatory situation, avoiding economic damage for operators and ensuring legal certainty.

For its part, the sole repealing provision addresses the following repeals:

- Royal Decree 1045/1990, of 27 July 1990, regulating the permitted tolerances for the indication of alcoholic strength by volume on the labelling of alcoholic beverages intended for the final consumer is repealed. The tolerance for the indication of the alcoholic strength is currently regulated by 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, so it is appropriate to regulate this standard as the Community regulation is a higher-ranking standard.

- The following ministerial orders are repealed: the Order of 23 January 1974 regulating the manufacture, circulation and trade of sangria and other drinks derived from wine; the Order of 31 January 1978 regulating aromatised wines and bitter-soda; and the Order of 11 December 1986 on the regulation of drinks derived from wine. This is outdated legislation which, in some cases, includes requirements that are not currently applicable, and which has already been superseded by subsequent European Union regulations. In particular, all products covered by these provisions are already regulated at Community level by Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and protection of geographical indications of aromatised wine products.

The first final provision refers to the jurisdictional authority underlying, respectively, the various amended standards and, consequently, the amendments now made to them, which corresponds to Article 149(1), Rules 13a and 16a, of the Constitution, which confer on the State exclusive jurisdiction to base and coordinate the general planning of economic activity and general coordination of health, respectively.

Finally, the second final provision determines the entry into force of the Royal Decree, which will be the day following its publication in the Official State Gazette, in order to give effect to the provisions referred to therein as soon as possible, which justifies the desirability of not applying, in this case, the special rule contained in Article 23 of the Government Law, which provides for the entry into force of the rules on 2 January or 1 July following their approval.

### **III. LEGAL ANALYSIS**

#### **III.1. LEGAL ANALYSIS**

##### **III.2. a) Legal basis and regulatory status**

The legal basis of the draft regulation is Law 28/2015 of 30 July 2015 on the protection of food quality, and which, in its fourth final provision authorises the government to approve quality standards for food products, with the aim, among others, of adapting to European Union regulations and of simplifying, modernising and enhancing existing standards as well as improving the competitiveness of the sector, including advancements brought about by technological innovation.

The reality of the current market for products regulated by the standards that are amended by this Royal Decree makes it necessary to adapt the specific

regulations on these products, especially with regard to their adaptation to new consumer demands and needs and to the technological evolution of the sector, from the perspective of food quality.

On the other hand, the choice of a Royal Decree is justified from both a substantive and a formal perspective, since it is a standard whose status is legally appropriate and is suitable for implementing the legislative amendments and repeals envisaged, and since those amended and repealed rules have an equal or lower regulatory rank.

The regulatory status of the draft is also appropriate in accordance with Article 24(1)(c) of Government Law 50/1997 of 27 November 1997.

### **III.2. (b) European Union law**

It should be noted that the issues regulated by this Royal Decree are not specifically regulated by European Union law and, in any case, do not constitute a breach of any European Union regulation.

In the absence of harmonised European regulation in this area, each Member State has the power to adopt this regulation, respecting the mutual recognition of similar products produced or marketed in other Member States.

The draft also respects horizontal food legislation on the provision of food information to consumers, and in particular on food labelling, harmonised in the European Union and established by 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, and its related regulations.

Likewise, this standard was notified to the European Commission pursuant to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services, as detailed in Section V. Processing.

### **III.2(c) Connection with national law**

Regarding the regulation's integration into national law, this draft is peacefully integrated into our legal system, by providing for a series of amendments and repeals of standards currently in force.

Finally, it is in line with Royal Decree 176/2013, of 8 March 2013, repealing all or part of certain technical and health regulations and quality standards referring

to food products, with respect to the health aspects of food products, since these are regulated in horizontal regulations within the European Union.

### **III.2. (d) Repeal of regulations**

The draft regulation gives rise to the following regulatory repeals:

- Royal Decree 1045/1990 of 27 July 1990 regulating the permitted tolerances for the indication of alcoholic strength by volume on the labelling of alcoholic beverages intended for the final consumer.
- Order of 23 January 1974 regulating the manufacture, circulation and trade of sangria and other beverages derived from wine.
- Order of 31 January 1978 regulating aromatised wines and bitter soda.
- Order of 11 December 1986 on the regulation of beverages derived from wine.

### **III.2. e) Entry into force**

The draft standard provides for its entry into force on the day following its publication in the Official State Gazette, in order to make the provisions contained therein effective as soon as possible.

Furthermore, the special rule contained in Article 23 of the Government Law, which prescribes the entry into force of the rules on 2 January or 1 July following their adoption, does not apply in this case, since the amendments proposed respond to a number of identified needs in terms of food quality, which advises their entry into force as soon as possible.

## **IV. ALIGNMENT OF THE DRAFT WITH THE CONSTITUTIONAL ORDER OF JURISDICTION**

The draft is issued under the provisions of Article 149(1), rules 13 and 16 of the Spanish Constitution, which grant the State exclusive jurisdiction in matters of the bases and coordination of the general planning of economic activity, and the bases and general coordination of health, respectively.

Similarly, Law 28/2015 of 30 July 2015, on the protection of food quality lays the legislative foundations for protecting food quality, establishing basic rules and authorising the government to approve quality standards for food products, with the aim, among others, of adapting to European Union regulations and of simplifying, modernising and enhancing existing standards as well as improving the competitiveness of the sector, including advancements brought about by technological innovation, all of which constitute the legal basis for this draft.

## **V. DESCRIPTION OF THE PROCEDURE**

### **V.1 HANDLING OF THE LEGISLATIVE PROPOSAL AND CONSULTATIONS CARRIED OUT**

In compliance with the provisions of Article 26 of Government Law 50/1997, of 27 November 1997, the draft has been submitted for approval through the following procedures:

- Public consultation, prior to the preparation of the text of the draft, through the MAPA web portal to obtain the opinion of interested citizens and organisations (Article 26.2, Law 50/1997, of 27 November 1997), from 20 June to 10 July 2024:

[https://www.mapa.gob.es/es/alimentacion/participacion-publica/RD\\_omnibus\\_modifican\\_derogan\\_calidad\\_alimentaria.aspx](https://www.mapa.gob.es/es/alimentacion/participacion-publica/RD_omnibus_modifican_derogan_calidad_alimentaria.aspx)

- Hearing and public information of the draft Royal Decree, through the MAPA website, to obtain additional contributions to the proposed text from citizens or entities (Article 26(6), Law 50/1997), from 23 January to 12 February 2025:

[https://www.mapa.gob.es/es/alimentacion/participacion-publica/audiencia\\_inf\\_publica\\_rd\\_omnibus.aspx](https://www.mapa.gob.es/es/alimentacion/participacion-publica/audiencia_inf_publica_rd_omnibus.aspx)

- Receipt of the opinion of the sectoral organisations concerned (Article 26(6) of Law 50/1997 of 27 November 1997). A compilation of the observations received and their corresponding assessments is attached to this report.
- Similarly, the following reports were requested (a compilation of the observations on the text received and their corresponding assessments is attached to this report):
  - o Mandatory report of the Technical General Secretariat of MAPA, in accordance with Article 26(5), paragraph 4, of Law 50/1997 of 27 November 1997, issued on 17 February 2025 without observations.

- o Report from the Ministry of Social Rights, Consumer Affairs and 2030 Agenda, in accordance with Article 26(5) paragraph 4 of Law 50/1997 of 27 November, issued on 28 January 2025, with observations on both the text of the draft and this report, which have been duly considered and, where applicable, incorporated into the draft.
  - o Report of the Ministry of Health, in accordance with Article 26(5) paragraph 4, of Law 50/1997, of 27 November 1997, issued on 10 February 2025, with observations, both on the text of the draft and on this report, which have been duly considered and, where appropriate, incorporated into the draft.
  - o Report of the Ministry of the Presidency, Justice and Relations with the Courts, requested on X of X of X (Article 26(9), on the quality of regulatory activity, of Law 50/1997, of 27 November 1997), issued on X of X,...**PENDING**
  - o Report of the Ministry of Territorial Policy and Democratic Memory (Article 26(5) of Law 50/1997 of 27 November 1997), submitted on 21 January 2025, with observations relating to the title of competence, which have been duly analysed and incorporated into the draft.
  - o Report of the Ministry of Economy, Trade and Enterprise, in accordance with Article 26(5), paragraph 1, of Law 50/1997 of 27 November 1997, issued on 6 March 2025, with observations, on both the text of the draft and this report, which have been duly considered and, where appropriate, incorporated into the draft.
- Consultation of the Autonomous Communities (Article 3(1)(k) of Law 40/2015 of 1 October 2015, on the Legal Regime of the Public Sector, and Article 26 of Government Law 50/1997, of 27 November 1997. ) A compilation of the comments received and their corresponding assessments is attached to this report.
  - Entities representing the sector (Article 26(6) of Law 50/1997 of 27 November 1997). A compilation of the comments received and their corresponding assessments is attached to this report.
  - Notification to the European Commission, in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, and in accordance with Article 45 of Regulation (EU) 1169/2011 of the European

Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, as it contains mandatory provisions on food information. **PENDING**

- Report of the Interministerial Commission for Food Management (CIOA), in accordance with Article 4 of Royal Decree 950/2021 of 2 November 2021, establishing the Interministerial Commission for Food Management and determining its composition and functions. **PENDING**
- Finally, the Opinion of the Council of State will be obtained, in accordance with the provisions of Article 22(2) of Organic Law 3/1980, of 22 April 1980, of the Council of State. **PENDING**

## **V.2 COMPLIANCE WITH THE MANDATORY PROCEDURES UNDER EUROPEAN UNION LAW**

These Regulations were notified in draft to the European Commission in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Similarly, it has been notified to the European Commission, in accordance with Article 45 of Regulation (EU) 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, as it contains mandatory provisions on food information.

## **VI. IMPACT ANALYSIS**

### **VI.1 ECONOMIC IMPACT**

As previously explained, the aim of the draft regulation is to amend and repeal several regulatory provisions in the field of food quality in order to update certain parameters, provide legal certainty for operators, simplify certain administrative procedures, update and include new definitions and repeal obsolete legislation, seeking to adapt it to current needs.

The standard will have a favourable impact on the Spanish agri-food sector by making it possible to better position its products on the market, increase their added value and foster opportunities for development and innovation in the sector.

In the same way, it seeks to undertake certain specific technical modifications, detected, in some cases, after the first years of application of several of the

modified quality standards, and, in others, due to the fact that they are standards that are very old and need to be updated in accordance with the current production and market conditions, as well as with the regulatory context of the European Union.

This will also have an impact on consumers, particularly as regards access to certain products whose demand has increased in recent years, as well as the information provided on food labelling, which will allow them to make their purchasing decisions in full knowledge of the facts.

For all of these reasons, the economic impact generated by the standard will be positive, both for society as a whole and for the agri-food sector, in particular.

### **Impact on competition**

As stated above, this project aims to adapt Spanish regulation on food quality to new consumer needs and demands, as well as to the new technological and productive reality of the agri-food sector, enabling innovation and improving the provision of food information to consumers.

This adaptation will also allow us to adapt our national regulations to the current context of the European and international markets, eliminating situations that may place Spanish producers at a competitive disadvantage.

The improvement of the information provided to the consumer through labelling is established as a fundamental tool to enable the consumer to make their purchasing and consumer decisions in full knowledge of the facts and without being misled or confused in relation to the characteristics of the food, a principle, on the other hand, which underpins European Union legislation on the provision of food information to consumers.

In the same way, this regulatory amendment will ensure greater transparency throughout the food chain, which will result in an increase in the competitiveness of the national agri-food sector.

In short, this legislative amendment will help to increase legal certainty for operators, allowing them to operate on an equal footing and creating the conditions conducive to the development of our agri-food sector, and will therefore have a positive impact on competition.

On the other hand, this draft will not generate negative effects on competition, since in practice it does not limit the number or typology of operators, nor does it reduce the incentives of operators or their ability to compete, and since the amended rules are currently in force and already apply to all operators operating in our country.

### **Impact on market unity**

The draft contains no provisions that may be considered to be in conflict with Law 20/2013, of 9 December 2013, on the Guarantee of Market Unity.

## **VI.2 BUDGETARY IMPACT**

The implementation of this draft Royal Decree has no budgetary implications, as there are no administrative expenditure or revenue, nor personnel, means or services, arising from its application.

As explained throughout this report, the aim of the draft regulation is to make a number of specific amendments of a technical nature to the standards already in force, so that it does not require any specific expenditure for its implementation and development. For the same reason, the application of the standard will not lead to any increase in public revenue.

Moreover, the elimination of certain obsolete obligations, as well as the contribution of the amendments made to the legislative texts to improving clarity and uniformity in their interpretation by the supervisory authorities, as well as legal certainty, will result in a reduction of administrative costs arising from official controls.

Similarly, the amendments introduced do not entail any expenditure on digital administration media or services.

## **VI.3 ANALYSIS OF ADMINISTRATIVE BURDENS**

Administrative burdens refer to all administrative tasks to be carried out by companies and citizens to meet the obligations under the Royal Decree.

The amendments introduced focus, as mentioned above, on certain aspects of a technical nature (adjustment or elimination of parameters in accordance with the current production situation), as well as the introduction of new requirements on the provision of food information to consumers and new categories of products widely demanded by consumers and operators themselves, the application of which, in this case, is voluntary for operators.

Since these are all regulations that are currently in force and applicable, and since the amendments introduced, as justified, represent a closer approximation of the legislative texts with respect to the current productive and technological reality of the food industry in our country, the implementation of this draft royal decree will not entail new administrative burdens for operators in the sector or for citizens.

Moreover, the repeal of certain obsolete regulation, which regulates matters already regulated in subsequent specific regulations, whether national or of the European Union, will make it possible to reduce administrative pressure on operators by avoiding having to comply with this duplication of legislation in those aspects where there is no regulatory infringement and where

consequently, it could be understood that said legislation remains fully applicable, as it has not been expressly repealed.

The possible impact on the administrative burdens of each of the modifications contemplated in the draft regulation is detailed below, justifying that they do not imply an increase of these:

- Article 2: replaces the content of certain sections of the Spanish Food Code, approved by Decree 2484/1967, of 21 September 1967, with that of the corresponding subsequent regulation that regulates such matters, in all cases, in a more specific way. As stated above, the objective of this amendment is to avoid legislative duplication on food quality for certain food products, ensuring greater legal certainty and also allowing regulatory adaptation to the current production reality of the market and the agri-food industry, all of which does not entail any increase in administrative burdens.
- Article 3: addresses the modification of Royal Decree 1011/1981, of 10 April 1981, which approves the Technical and Health Regulations for the production, circulation and trade of edible fats (animal, vegetable and anhydrous), margarines, minarines and fatty preparations. In this case, a technical precision is introduced in the definition of 'fatty preparations' in order to prevent mixtures of vegetable oils with olive oil from being marketed under this name, as this is a practice prohibited in our country. Such an amendment does not entail any increase in administrative burdens, since it seeks only to prevent a fraudulent practice detected by the Administration.
- Article 4: updates the regulations for the processing, manufacture, circulation and trade of biscuits, eliminating the maximum value of ash allowed, since at present biscuits with components of high nutritional value can be found on the market, such as whole flour, nuts or cereals, which provide a higher fibre content but that do not make it possible to comply with this limit. This will facilitate innovation in the sector focused on the nutritional improvement of products.

The elimination of this limit, as has been said, in response to the technological and market reality of the sector, will prevent non-compliances and the resulting administrative penalties, which will result in a reduction of the administrative burden for operators.

- Article 5: amends the quality standard for horchata to include sugar-free or low-sugar horchata, products that are increasingly sought after by consumers and which cannot currently be called horchata. The use of sweeteners and colourants in the products regulated in the standard is also prohibited. All this will not result in any increase in administrative burdens for operators, and, on

the contrary, will result in an increase in the competitiveness of the sector, being able to meet consumer demand.

- Article 6: amends the quality standard for vinegar in order to expand the list of permitted ingredients, in order to accommodate traditional practices carried out in particular in vinegars covered by differentiated quality figures, as they are considered to be products with unique characteristics. This will make it possible to support, at the level of food quality regulations, these production practices already recognised by differentiated quality regulations, which will not entail any increase in administrative burdens and, on the contrary, will make it possible to avoid non-conformities or non-compliance detected in official controls.
- Article 7: The rules on meat derivatives have been amended to regulate new terms that add value to the product and are increasingly being demanded by consumers for their connection with what is true and traditional, such as the designation 'natural' and the term 'artisanal production'. 'Turkey ham' is also recognised as a name established by use, as it is a very common product on the market, known to consumers and in high demand. All this does not entail any increase in administrative burdens and will make it possible to improve the competitiveness of the sector by meeting new consumer demands and trends.

On the other hand, the elimination of 'Mortadela Bologna' as a name established by use is determined by the existence of an Italian distinctive quality indication, recognised at European Union level, and in order to avoid possible confusion for consumers and unfair competition. However, this will not entail any administrative burden either, taking into account that the project provides for the corresponding transitional period so that operators can exhaust stocks and thus avoid any type of economic damage.

- Article 8: updates the quality standard for table olives to recognise certain designations established by use in Spain, such as "anchovy-stuffed olives." The obligation to clearly indicate in the list of ingredients, in these cases, that the filling is in the form of a paste, if the characteristic ingredient of the same is highlighted in the name of the product, is already laid down in Community regulation on the provision of food information to consumers, specifically in Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011, and therefore does not entail any new administrative burden.
- Article 9: updates the quality standard for cider to accommodate the production reality of ice cider. This is an adjustment to an analytical

parameter in response to the technological reality of this product, so, as in the previous cases, it does not entail any administrative burden and will have a positive impact on the competitiveness of the sector.

In addition, a series of oenological practices have been reintroduced which, by mistake, had been repealed by transferring the authorised processing aids from the quality standard to the horizontal Royal Decree on processing aids. This constitutes a regulatory correction that has no impact on administrative burdens.

- Article 10: updates the bread quality standard to accommodate 'gluten-free bread', which currently does not fall within the scope of this standard and therefore cannot use the designation 'bread'. The production of gluten-free products is fully implemented and developed in the bread-baking sector, so this amendment will not result in any increase in administrative burdens and will make it possible to respond to a substantial request from both the coeliac consumer group and the sector itself.
- Article 11: updates the horizontal regulation on processing aids to allow, as authorised matters for the clarification of apple must, those authorised for the clarification of cider. This aims to respond to the current production reality of the sector, in which the clarifying agents used for apple musts are the same as for cider, and does not imply the creation of any new administrative burden.

As regards the provisions repealed by the sole repealing provision of the draft Royal Decree, as has been justified throughout this report, these are obsolete provisions, in all cases superseded by more recent higher-ranking national and EU regulation.

In conclusion, and as has already been said, the draft regulation addresses certain specific modifications, of a technical nature, in different rules in force and fully implemented in the food industry, so that its application will not entail any increase in administrative burdens neither for companies nor for citizens.

#### **VI.4 GENDER IMPACT**

For the purposes of article 19 of Organic Law 3/2007 of 22 March 2007 on effective equality between women and men and article 26(3)(f) of Government Law 50/1997 of 27 November 1997, it is reported that the present draft Royal Decree does not contain any discriminatory measures on the basis of gender.

The purpose of gender impact reports is to analyse and assess the potential results of adopting the Regulation from a perspective of suppressing inequalities and the regulation's contribution towards achieving the objectives of equal opportunities and equal treatment for women and men based on baseline indicators, expected results and the expected impact. The gender impact report is a tool for collecting information on social realities, from a gender perspective, for all citizens affected by the Regulation, in order to identify and assess the various effects that seemingly neutral regulatory provisions could have on women and men and, ultimately, to identify any potential existing inequalities and the possible effects of the proposed regulation on both sexes.

With regard to the gender impact analysis of this draft, we must start from the fact that the regulations aim to improve the functioning of certain economic activities, without specifically impacting the operators based on their gender. Consequently, the draft does not establish actions that have positive or negative gender impacts.

On the other hand, this draft Royal Decree does not entail any explicit modification of the previous regulation with regard to gender impact, for the purposes of Article 26(3)(f) of Government Law 50/1997 of 27 November 1997. Likewise, there is no evidence to suggest that the objectives of opportunity policies and, in particular, Organic Law 3/2007 of 22 March 2007, on the effective equality of women and men, are being violated in the agri-food or fisheries sectors.

The assessment of the gender impact in relation to the elimination of inequalities between women and men, as well as in relation to the fulfilment of the objectives of equality policies, is null, since they do not follow from the very purpose of the regulation or from its application in this area.

## **VI.5 OTHER IMPACTS**

### **Impact on childhood and adolescence**

No impact on childhood and adolescence is foreseen, resulting from Article 22d of Organic Law 1/1996, of 15 January 1996, on the Legal Protection of Minors, partially amending the Civil Code and the Civil Procedure Law, and Article 2(1) (f) of Royal Decree 931/2017 of 27 October 2017.

### **Impact on family**

No impact on family is foreseen in accordance with the requirements of the tenth additional provision of Law 40/2003 of 18 November 2003 on the Protection of Large Families, introduced by Law 26/2015 of 28 July 2015,

amending the system of protection for children and adolescents, and Article 2(1) (f) of Royal Decree 931/2017 of 27 October 2017.

**Impact on equal opportunities, non-discrimination and universal accessibility for persons with disabilities**

The draft Royal Decree has no other impacts in regard to equal opportunities, non-discrimination or universal access for persons with disabilities.

**Climate change impact**

In accordance with Article 26.3(h) of the Law of Government, the project has no direct impact on climate change, either in terms of mitigation and adaptation.

**Environmental impact**

This Royal Decree does not have a direct environmental impact, although the rules for determining the effect of such declarations, which are conveyed through it, will surely improve the knowledge of the interested parties and the administrations involved with regard to the operators affected and therefore improve control over environmental effects and position Spain in a preferential position in terms of the overlap between the primary sector and environmental protection.

In particular, the improvements and legal clarifications introduced by this draft regulation, in particular with regard to the provision of food information to consumers, may contribute to improved decision-making and more conscious purchasing by consumers, which is particularly relevant in aspects related to sustainability and the preservation of the environment, which is increasingly present in consumer purchasing decisions.

## **VII. EX POST EVALUATION**

Having considered the provisions of Article 28(2) of the Law of the Government, Articles 2.5 and 3 of Royal Decree 286/2017, 24 March 2017, regulating the Annual Regulatory Plan and the Annual Regulatory Evaluation Report of the General State Administration and establishing the Planning and Regulatory Evaluation Board, and Article 2(j) of Royal Decree 931/2017, of 27 October 2017, regulating the Report on the Regulatory Impact Analysis, it is considered that the rule does not need to be evaluated for its results, since none of the cases set out in the first paragraph of Article 3 of Royal Decree 286/2017 of 24 March 2017, has arisen, as has been justified throughout this report, all without prejudice to the fact that the implementation of the measures contemplated in this provision will reveal the need for their eventual adjustment in subsequent years, in order to perfect the system.

