


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2008/0060(COD) Procedure completed
Foodstuffs and food ingredients: extraction solvents used in the production. Recast	
Repealing Directive 94/52/EC <a href="#">1993/0484(COD)</a> Repealing Directive 97/60/EC <a href="#">1996/0195(COD)</a>	
Subject 3.10.10 Foodstuffs, foodstuffs legislation 4.60.04.04 Food safety	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>JURI</b> Legal Affairs		19/12/2007
		PPE-DE <a href="#">SZÁJER József</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ENVI</b> Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2934</a>	23/03/2009
European Commission	Commission DG	Commissioner	
	<a href="#">Legal Service</a>	BARROSO José Manuel	

Key events			
27/03/2008	Legislative proposal published	<a href="#">COM(2008)0154</a>	Summary
10/04/2008	Committee referral announced in Parliament, 1st reading		
26/06/2008	Vote in committee, 1st reading		Summary
02/07/2008	Committee report tabled for plenary, 1st reading	<a href="#">A6-0284/2008</a>	
23/09/2008	Results of vote in Parliament		
23/09/2008	Decision by Parliament, 1st reading	<a href="#">T6-0434/2008</a>	Summary
23/03/2009	Act adopted by Council after Parliament's 1st reading		
22/04/2009	End of procedure in Parliament		

23/04/2009	Final act signed		
06/06/2009	Final act published in Official Journal		

### Technical information

Procedure reference	2008/0060(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Directive
	Repealing Directive 94/52/EC <a href="#">1993/0484(COD)</a> Repealing Directive 97/60/EC <a href="#">1996/0195(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/61178

### Documentation gateway

Legislative proposal	<a href="#">COM(2008)0154</a>	27/03/2008	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0992/2008</a>	28/05/2008	ESC	
Economic and Social Committee: opinion, report	<a href="#">CES0993/2008</a>	28/05/2008	ESC	
Committee draft report	<a href="#">PE407.788</a>	06/06/2008	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0284/2008</a>	02/07/2008	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0434/2008</a>	23/09/2008	EP	Summary
Commission response to text adopted in plenary	<a href="#">SP(2008)6073</a>	17/10/2008	EC	
Draft final act	<a href="#">03698/2008/LEX</a>	23/04/2009	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Directive 2009/32](#)  
[OJ L 141 06.06.2009, p. 0003](#) Summary

## Foodstuffs and food ingredients: extraction solvents used in the production. Recast

**PURPOSE:** recast of Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**CONTENT:** the codification of Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients has been initiated by the Commission, and a relevant proposal has been submitted to the legislative authority. The new Directive was to have superseded the various acts incorporated in it.

In the meantime, Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers

conferred on the Commission (comitology) has been amended by Decision 2006/512/EC, which introduced a regulatory procedure with scrutiny for measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the codecision procedure.

In accordance with the joint statement of the European Parliament, the Council and the Commission on Decision 2006/512/EC, for this new procedure to be applicable to instruments adopted in accordance with the codecision procedure which are already in force, those instruments must be adjusted in accordance with the applicable procedures.

It is therefore appropriate to transform the codification of Directive 88/344/EEC into a recast in order to incorporate the amendments necessary for the adjustment to the regulatory procedure with scrutiny.

---

## Foodstuffs and food ingredients: extraction solvents used in the production. Recast

---

The Committee on Legal Affairs adopted a report drafted by József SZAJER (EPP-ED, HU) and approved the Commission's proposal for a directive of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (recast). The proposal was approved as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission.

---

## Foodstuffs and food ingredients: extraction solvents used in the production. Recast

---

The European Parliament adopted, by 634 votes to 13 with 19 abstentions, a legislative resolution amending the Commission's proposal for a directive of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (recast). The report had been tabled for consideration in plenary József SZAJER (EPP-ED, HU) on behalf of the Committee on Legal Affairs. The amendment was agreed between Parliament and Council. It inserted in Annex II Part A the repealed directive with a list of the latter's successive amendments.

---

## Foodstuffs and food ingredients: extraction solvents used in the production. Recast

---

**PURPOSE:** to lay down rules for extraction solvents used or intended for use in the production of foodstuffs or food ingredients.

**LEGISLATIVE ACT:** Directive 2009/32/EC of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast).

**CONTENT:** following a first reading agreement with the Parliament, the Council adopted this directive which recasts legislation on the approximation of the laws of the member states on extraction solvents used in the production of foodstuffs and food ingredients. Implementing powers conferred on the commission will be exercised in accordance with Council Decision 1999/468/EC as amended by Council Decision 2006/512/EC which introduced the regulatory procedure with scrutiny for the adoption of measures of general scope and designed to amend non-essential elements of a basic instrument adopted in accordance with the codecision procedure. The Commission will adopt certain implementing measures in accordance with the regulatory procedure with scrutiny. This applies particularly to the commission's powers to amend the list of extraction solvents which may be used during the processing of the raw materials, of foodstuffs, of food components or of food ingredients, and the specification of their conditions of use and maximum residue limits. The Commission will also adopt specific purity criteria for extraction solvents and the methods of analysis necessary to verify compliance with the general and specific purity criteria as well as methods of analysis and sampling of extraction solvents in and on foodstuffs in accordance with the regulatory procedure with scrutiny.

On grounds of efficiency, the normal time-limits for the regulatory procedure with scrutiny are curtailed for the adoption of amendments of the list of extraction solvents which may be used during the processing of the raw materials, of foodstuffs, of food components or of food ingredients, and the specification of their conditions of use and maximum residue limits, and for the adoption of specific purity criteria for extraction solvents.

When, on imperative grounds of urgency, in particular where a risk to human health exists, the normal time-limits for the regulatory procedure with scrutiny cannot be complied with, the Commission may apply the urgency procedure provided for in Decision 1999/468/EC for the adoption of amendments of the list of extraction solvents which may be used during the processing of the raw materials, of foodstuffs, of food components or of food ingredients, and the specification of their conditions of use and maximum residue limits, and for the adoption of specific purity criteria for extraction solvents, as well as for the adoption of amendments to this Directive when it is established that the use in foodstuffs of any substance listed in Annex I or the level of one or more of the components referred to in Article 3 contained in such substances might endanger human health although it complies with the conditions laid down in this Directive.

The new elements introduced into this Directive only concern the committee procedures. They therefore do not need to be transposed by Member States.

**ENTRY INTO FORCE:** 26/06/2009.