Procedure file

Basic information

COD - Ordinary legislative procedure (ex-codecision procedure) Decision	1995/0085(COD)	Procedure completed
Prohibiting the use of certain additives in the production of certain foodstuffs Repealed by 2006/0145(COD) Subject 3.10.10 Foodstuffs, foodstuffs legislation 4.60.04.04 Food safety		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Consumer Protection		
	Former committee responsible		
	ENVI Environment, Public Health and Consumer Protection	PPE GROSSETÊTE Françoise	23/05/1995
	Former committee for opinion		
	ECON Economic and Monetary Affairs, Industrial Policy	PPE LANGEN Werner	31/05/1995
Council of the European Union	Council configuration	Meeting	Date
	Environment	1978	09/12/1996
	Transport, Telecommunications and Energy	1937	18/06/1996

Key events

19/04/1995	Legislative proposal published	COM(1995)0126	Summary
15/05/1995	Committee referral announced in Parliament, 1st reading		
31/10/1995	Vote in committee, 1st reading		Summary
31/10/1995	Committee report tabled for plenary, 1st reading	A4-0278/1995	
15/01/1996	Debate in Parliament		Summary
16/01/1996	Decision by Parliament, 1st reading	T4-0001/1996	Summary
06/05/1996	Modified legislative proposal published	COM(1996)0050	Summary

18/06/1996	Council position published	07368/1/1996	Summary
19/09/1996	Committee referral announced in Parliament, 2nd reading		
08/10/1996	Vote in committee, 2nd reading		
23/10/1996	Decision by Parliament, 2nd reading	T4-0514/1996	Summary
09/12/1996	Act approved by Council, 2nd reading		
19/12/1996	Final act signed		
19/12/1996	End of procedure in Parliament		
19/02/1997	Final act published in Official Journal		

Technical information

Procedure reference	1995/0085(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
	Repealed by 2006/0145(COD)
Legal basis	Rules of Procedure EP 66_o-p4; EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/07975

Documentation gateway

Legislative proposal		COM(1995)0126 OJ C 134 01.06.1995, p. 0020	19/04/1995	EC	Summary
Economic and Social Committee: opinion, report		CES0973/1995 OJ C 301 13.11.1995, p. 0043	13/09/1995	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0278/1995 OJ C 323 04.12.1995, p. 0005	31/10/1995	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0001/1996 OJ C 032 05.02.1996, p. 0015-0021	16/01/1996	EP	Summary
Modified legislative proposal		COM(1996)0050 OJ C 186 26.06.1996, p. 0007	06/05/1996	EC	Summary
Council position		07368/1/1996 OJ C 315 24.10.1996, p. 0004	18/06/1996	CSL	Summary
Commission communication on Council's position		SEC(1996)1221	02/07/1996	EC	Summary
Text adopted by Parliament, 2nd reading		T4-0514/1996 OJ C 347 18.11.1996, p. 0049-0058	23/10/1996	EP	Summary

Additional information

European Commission	EUR-Lex

Final act

Decision 1997/292
OJ L 048 19.02.1997, p. 0013 Summary

Prohibiting the use of certain additives in the production of certain foodstuffs

OBJECTIVE: to authorise the Member States to derogate from the various directives on additives in order to protect the particular methods of production of foodstuffs regarded as traditional which were manufactured within their territory. SUBSTANCE: the proposal for a decision authorised certain Member States to retain in their legislation prohibitions on the use of categories of additives in the production of the corresponding foodstuffs listed in the annex to the directive. The Member States and foodstuffs concerned were as follows: Germany: beer; France: traditional French bread, preserved truffles, preserved snails, goose, duck and turkey preserves ("confit"); Austria: "Bergkäse"; Finland: "Mämmi". ?

Prohibiting the use of certain additives in the production of certain foodstuffs

The ESC stated that there were no health grounds for justifying this proposal and that steps should be taken to prevent Member States from using prohibitions for protectionist purposes. As a result, it could only support the proposal with the following amendments: - products should be labelled with the words ?in the tradition?, the name of the country and the product name; - the article and the recitals should spell out clearly that products so labelled could be manufactured in any Member State; - the article and the recitals should spell out clearly that products not labelled with all these three elements (i.e. tradition, country, product name) had to conform to the normal rules for additives, composition, etc.; - Member States should not put any administrative and regulatory obstacles in the way of such products.

Prohibiting the use of certain additives in the production of certain foodstuffs

Mrs Fran?oise GROSSETETE (F, PPE) saw her report adopted on the proposal for an EP and Council Decision on the maintenance of national laws prohibiting the use of certain additives in the production of certain specific foodstuffs. This Commission proposal was due after the adoption of Directive 94/34/EC on 30 June 1994, which called on the Commission to establish, according to specified criteria, a list of products for which Member States were allowed to ban the use of additives in so-called traditional products. The committee received a short list of eight products, with German beer (Reinheidsgebot) at the top. Initially, nine of the fifteen Member States submitted lists to the Commission covering a total of 300 foodstuffs, particularly cheeses, prepared meats and spirits. Of these 300 products, only the eight mentioned above were included in the annex. Italy and Spain did not supply the necessary clarifications. The committee adopted four amendments and Amendments Nos 1 and 4, tabled by Mrs Marianne Thijssen (B, PPE), aimed to introduce a labelling requirement. Where labelling was possible, the label should state that the foodstuff had been produced using the traditional method of the named Member State. Amendment No 2, tabled by Mrs Kirsten JENSEN (DK, PSE), was also adopted, adding Danish liver pat? and Danish meatballs to the list. Amendment No 3, tabled by Mrs Anneli HULTHEN (SV, PSE), asked that traditional Swedish fruit syrups be added to the list. ?

Prohibiting the use of certain additives in the production of certain foodstuffs

The rapporteur, Mrs GROSSETETE, recalled that current Community legislation authorised Member States to maintain national laws prohibiting the use of various additives in the production of certain foodstuffs considered as traditional in their territory, provided that certain procedures and deadlines were met. Tight restrictions had been imposed on these measures at member-state level. The Commission therefore proposed laying down various criteria for determining whether a product was traditional or not, along with the national bans that could be left in place. The rapporteur stressed that there would not be any distortion of competition, since for one thing the products could still be produced using the said additives, though in such cases they would not be labelled as a ?traditional product?. Thanks to an amendment tabled by the rapporteur, traditional products were to be known by the same name, for example traditional German beer, traditional Greek feta cheese and so on; the rapporteur also wanted to see Danish liver paté and meatballs and Swedish fruit syrups added to the list. Commissioner van den Broek was opposed to Amendment No 1, which sought to require the use of labels stating that the product had been ?prepared using traditional methods?. He agreed with Amendment No 2, which specified that a note be added to each product stating that it was ?traditional German?, ?traditional Greek?, ?traditional French?, etc. However, he could not accept Amendment No 3, which was aimed at including traditional Danish liver paté and meatballs, because the justification for this, namely the issue of public health, did not meet the criteria laid down within the context of the Directive.

Prohibiting the use of certain additives in the production of certain foodstuffs

In adopting the report by Mrs GROSSETETE (PPE, F), the European Parliament approved this proposal for a decision with the following amendments: - the Member States listed in the Annex to the Decision are authorized to maintain in their legislation the prohibition on the use of categories of additives in the production of foodstuffs where the label, if such labelling is possible, states that the foodstuff has been produced using traditional methods in the named Member State; - for each of the products listed, a note is added stating that they have been produced using traditional methods in the countries concerned; - three new products have been added to the list of foodstuffs: traditional Danish liver paté ('leverpastej'), nitrite, traditional Danish meatballs ('ködboller'), nitrite, and traditional Swedish fruit syrups, food colours. ?

Prohibiting the use of certain additives in the production of certain foodstuffs

The amended Commission proposal incorporates Parliament's amendment to the definition of the foodstuffs listed in the Annex in respect of which Member States would be authorized to maintain in their legislation the prohibition on the use of certain additives. However, the Commission rejected the amendments concerning: - the requirement for labels to include the information that a foodstuff has been produced using traditional methods, as it took the view that it was up to the manufacturer to determine whether this should be mentioned; - the insertion of one Swedish and two Danish foodstuffs, as the original notifications referred only to public health grounds, and all public health problems were covered by the specific directives concerning additives.?

Prohibiting the use of certain additives in the production of certain foodstuffs

The common position of the Council incorporated the additional traditional foodstuffs whose insertion had been called for by the European Parliament, stating, in the case of the Danish products "leverpostej" and "Kodboller", the categories of additives in respect of which a prohibition could be maintained. It also added 3 traditional Italian foodstuffs, "Salame cacciatore", "mortadella" and "cotechino e zampone" and 1 Spanish one, "Lomo embuchado". The common position also incorporated the requested provisions concerning the designation of the foodstuffs in respect of which Member States could maintain their legislation on the subject. It may be noted that the Council stated that: - the term "traditional Greek" should not be applied to "'feta' cheese"; - the designation "traditional French bread", which could be translated into every language, did not need to be placed in inverted commas; - it was permitted to maintain the prohibition on all categories of additives in the products "traditional French goose and duck preserves ("confit")". ?

Prohibiting the use of certain additives in the production of certain foodstuffs

The Commission approved the common position.?

Prohibiting the use of certain additives in the production of certain foodstuffs

Parliament approved the common position of the Council without making any amendments. ?