



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.7.2003
COM(2003) 466 final

2001/0199 (COD)

COMMISSION OPINION

**pursuant to Article 251(2)(c) of the EC Treaty
on the European Parliament's amendment
to the common position of the Council
concerning the proposal for a**

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Directive 2000/13/EC as regards indication of the ingredients present in
foodstuffs**

**AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 250 (2) of the EC Treaty**

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1. INTRODUCTION

Article 251(2)(c) of the EC Treaty provides that the Commission is to deliver its opinion on the amendments proposed by the European Parliament on the second reading. The Commission's opinion on the amendment proposed by Parliament is given below.

2. BACKGROUND

Date on which the proposal was sent to the EP and the Council (Doc. COM(2001) 433 final – 2001/0199 (COD)):	6 September 2001
Date on which the Economic and Social Committee delivered its opinion:	16 January 2002
Date on which the European Parliament delivered its opinion on the first reading:	11 June 2002
Date on which the amended proposal was sent (Document COM(2002) 464 final – 2001/0199 (COD)):	3 September 2002
Date on which the common position was adopted:	20 February 2003
Date on which the European Parliament adopted the recommendation for the second reading:	2 July 2003

3. PURPOSE OF THE PROPOSAL

The Commission's proposal makes it compulsory to label the ingredients in foodstuffs much more fully in order to ensure that consumers are better informed and, at the same time, to address the issue of food allergies and intolerances. To this end, it amends the rules for

labelling ingredients set out in Directive 2000/13/EC and mainly comprises the following points:

- It does away with the exemption on labelling components of compound ingredients accounting for less than 25% of the finished product and so establishes the principle that all the ingredients must be listed.
- It retains a limited number of exemptions for some compound ingredients used in small quantities.
- It contains a list of ingredients occasioning most food allergies or intolerances, for which no exemptions are permitted, even when the ingredients are present in alcoholic beverages.
- It provides for a procedure for updating the above-mentioned list after obtaining the opinion of the European Food Safety Authority.
- For the purposes of listing ingredients used in small quantities, it provides for measures enabling manufacturers to comply more easily with the additional labelling requirements.

4. COMMISSION OPINION ON THE AMENDMENT OF THE EUROPEAN PARLIAMENT

The European Parliament's amendment is intended to supplement the text in Article 1(1)(f) of the common position regarding the updating of the list of ingredients causing food allergies or intolerances.

The amendment establishes a procedure to inform the Commission that studies are being carried out to determine which ingredients or substances derived from allergenic ingredients are, under specific circumstances, no longer likely to trigger adverse reactions. On the basis of this information, a list of these ingredients or substances will be adopted by the Commission after consulting with the European Food Safety Authority. The ingredients or substances on the list will be removed from the list annexed to the common position, and will not therefore be subject to the compulsory labelling requirement until the European Food Safety Authority has given its opinion and a final decision has been made in their regard within four years, at the latest, of the date on which the directive enters into force.

The Commission hereby expresses a favourable opinion on the amendment, which will result in labelling appropriate to the actual risks of an adverse reaction associated with ingredients or substances derived from ingredients that cause food allergies or intolerances.

5. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.