



Notification Number: 2003/458/F

Decree applying Article L214-1 of the Consumer Code and the Act of 2 July 1935 with regard to cheeses and speciality cheeses

Date received : 10/12/2003
End of Standstill : 11/03/2004 (**11/06/2004**)
Issue of comments by : Germany,Spain,United Kingdom
Issue of detailed opinion by : Commission,Italy

Message

Message 002

Communication from the Commission - SG(2003) D/52366
Directive 98/34/EC
Translation of the message 001
Notification: 2003/0458/F

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200302366.EN)

1. Structured Information Line

MSG 002 IND 2003 0458 F EN 11-03-2004 10-12-2003 F NOTIF 11-03-2004

2. Member State

France

3. Department Responsible

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3. Originating Department

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4. Notification Number

2003/0458/F - C50A

5. Title

Decree applying Article L214-1 of the Consumer Code and the Act of 2 July 1935 with regard to cheeses and speciality cheeses

6. Products Concerned

Cheeses and speciality cheeses

7. Notification Under Another Act

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8. Main Content

This text provides a definition of cheeses and the designations thereof. It sets out provisions relating to the specific treatments, additions and labelling methods.

It repeals Decree No 88-1206 of 30 December 1988 applying the Act of 1 August 1905 on fraud and falsification in the area of products and services and the Act of 2 July 1935 for organising and sanitising the milk market as regards cheeses and encompasses all provisions thereof, while adapting them to new technologies and market requirements.

In addition to cheeses, the text defines processed and unprocessed, full-fat and reduced-fat speciality cheeses, in the production of which the use of starch or gelatine is permitted.

Keywords: cheese, speciality cheese, fat, heat treatment

9. Brief Statement of Grounds

This text is intended to update the regulations on cheeses and has been drawn up with the aim of improving the information provided to the consumer on the fat content of products and on the heat treatments undergone by the milk and cream used.

The aim of revising the regulations is also to integrate into French legislation the arrival on the market of new products such as speciality cheeses.

10. Reference Documents - Basic Texts

Consumer Code, particularly Articles L. 214-1, L. 214-2 and R. 112-9;
Article L640-2 of the Rural Code

Amended Act of 2 July 1935 for organising and sanitising the milk and resinous product markets, in particular Article 13;

Amended decree of 15 April 1912 regulating the public administration to apply the Act of 1 August 1905 on fraud prevention in the sale of goods and falsification pertaining to foodstuffs, in particular meat, prepared meat products, fruit, vegetables, fish and preserves;



11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

b) (The impact assessment is enclosed.

A Member State which drafts a notification and which has carried out an impact study and intends to annex it as such to the notified draft must indicate that this study is annexed. The study is communicated to the Commission at the same time as the draft is forwarded.)

16. TBT and SPS aspects

TBT and SPS aspects (Agreements drawn up within the framework of the WTO)

TBT aspect (Agreement on technical barriers to trade)

a) Yes

SPS aspect (Agreement on sanitary and phytosanitary measures)

a) No

b)

i) The draft is not a sanitary or phytosanitary measure pursuant to Annex A to the SPS Agreement.

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