



Notification Number: 2007/428/F

## **Draft Decree amending the amended Decree of 14 August 1985 implementing the Law of 1 August 1905 on fraud and falsification in the area of products and services with regard to fruit jams, jellies, marmalades and other similar products**

Date received : 26/07/2007

End of Standstill : 29/10/2007

### Message

Message 002

Communication from the Commission - SG(2007) D/51806

Directive 98/34/EC

Translation of the message 001

Notification: 2007/0428/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200701806.EN)

#### **1. Structured Information Line**

MSG 002 IND 2007 0428 F EN 29-10-2007 26-07-2007 F NOTIF 29-10-2007

#### **2. Member State**

F

#### **3. Department Responsible**

Délégué interministériel aux normes – SQUALPI –  
bâtiment le Bervil-

12 rue Villiot-75572 PARIS CEDEX 12

d9834.france@industrie.gouv.fr ou syrte@industrie.gouv.fr

tél : 01 53 44 97 04 – fax : 01 53 44 98 88

#### **3. Originating Department**



Ministère de l'économie, des finances et de l'emploi – Direction générale de la concurrence de la consommation et de la répression des fraudes – bureau D4 – Teledoc 251 – 59, Bd Vincent Auriol – 75703 PARIS CEDEX 13.  
D4@dgccrf.finances.gouv.fr

#### **4. Notification Number**

2007/0428/F - C50A

#### **5. Title**

Draft Decree amending the amended Decree of 14 August 1985 implementing the Law of 1 August 1905 on fraud and falsification in the area of products and services with regard to fruit jams, jellies, marmalades and other similar products

#### **6. Products Concerned**

fruit jams, jellies, marmalades.

#### **7. Notification Under Another Act**

Directive 2001/113/EC on fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption.

#### **8. Main Content**

The aim of the Draft Decree, drawn up on the basis of Article L 214-1 of the Consumer Code, is to amend the amended Decree of 14 August 1985, implementing the Law of 1 August 1905 on fraud and falsification in the area of products and services with regard to fruit jams, jellies, marmalades and other similar products. This Decree was notified under number 2003/0249/F.

This draft text amends the soluble dry matter content of jams, jellies, marmalades and marmalade-jellies, increasing it to a minimum value of between 55% and 60%.

#### **9. Brief Statement of Grounds**

The soluble dry matter content is set at 60% minimum by Community Directive 2001/113/EC of 20 December 2001. However, part II of Annex 1 to this Directive gives the Member States the option, for the purpose of responding to certain specific cases, to authorise designations reserved for products defined in part I of this text, for these products of which the soluble dry matter is less than 60%.

Article 1 of the Draft Decree increases the soluble dry matter content to a minimum value of between 55% and 60% for fruit jams, jellies, marmalades and marmalade-jellies.

At national level, the reduction in the sugar content of fruit jams is in line with the objectives of the health and nutrition plans (PNNS), which recommend a reduction in the consumption of sugar, with market trends, which are offering a growing number of fruit preparations containing less sugar and with the desire expressed by the majority of consumers during consumption studies. This amendment is also in line with the guidelines laid down in the Green Paper of 8 December 2005 by the European Commission, as part of the fight against obesity.

At Community level, several countries market products with a soluble dry matter content of less than 60% under the designations contained in Annex 1 to the Directive.



#### **10. Reference Documents - Basic Texts**

Directive 2001/113/EC on fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption;

-amended Decree of 14 August 1985 on fruit jams, jellies, marmalades and other similar products

#### **11. Invocation of the Emergency Procedure**

no

#### **12. Grounds for the Emergency**

-

#### **13. Confidentiality**

-

#### **14. Fiscal measures**

-

#### **15. Impact assessment**

-

#### **16. TBT and SPS aspects**

TBT aspect (Agreement on Technical Barriers to Trade)

a) NO:

iii) The draft does not have a significant effect on international trade.

SPS aspect (Agreement on Sanitary and Phytosanitary Measures)

a) NO:

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

iii) The draft does not have a significant effect on international trade.

Catherine Day  
Secretary-General  
European Commission

Point de contact Directive 98/34  
Fax: (32-2) 296 76 60  
email: [dir83-189-central@ec.europa.eu](mailto:dir83-189-central@ec.europa.eu)



-----  
sent to :

BELNotif Qualité et Sécurité  
Mme Descamps

Bundesministerium für Wirtschaft und Technologie (Referat EA3)  
Frau Christina Jäckel

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1  
Frau Haslinger-Fenzl, Maria

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1  
Frau MARKL Iris

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1  
Frau Brigitte WIKGOLM

CU N Lovseth Hanne Leen  
.

Cyprus org. for the promotion of quality Ministry of Commerce, Industry & Tourism  
M. Antonis Ioannou

Czech Office for Standards, Metrology and testing  
Mrs Lucie Ruzickova

Department of Trade and Industry Office of Science & Innovation  
Mr Philip Plumb

Délégation Interministérielle aux Normes  
Mme Piau

EFTA Surveillance Authority  
Mr. Gunnar Thor PETURSSON

ELOT  
M.Mourtzanos K

EU internal market coordination (Ministry of Economics)  
Mr. Dainis Matulis

Erhvervs- og Byggestyrelsen/ National Agency for Enterpr.& Construct.  
Bjarne Bang Christensen

European Free Trade Association  
.

Hungarian Notification Centre Ministry of economy & transport  
Mr Zsolt Fazekas



Institut Belge de Normalisation  
Mme F. Hombert

Instituto Português da Qualidade  
Sra Cândida Pires

Kauppa-ja teollisuusministeri  
Ms. Leila Orava

Kommerskollegium  
Ms Kerstin Carlsson

Lithuanian Standards Board  
Daiva Lesickiene

Malta standards Authority  
Dr Stephanie A Fenech

Min. of Economic Affairs & Communication  
Mr. Karl Stern

Min. of Industry, Energy & Technology  
Mr K. Polychronidis

Ministerie van Financiën Belastingdienst - Douane Noord / CDIU  
De Heer IJ.G. van der Heide

Ministerio de Asuntos Exteriores Secretaría de Estado para la Unión Europ  
Esther Perez Pelaez

Ministero dello sviluppo economico F1 - Ispettorato tecnico industria  
Signor Vincenzo Correggia

Ministry of Economy Dept for Economic Regulations  
Mrs Barbara H. Kozłowska

Ministry of Economy and Commerce Division for Internal Market  
Razvan CUC

NSAI  
Mr Tony Losty

Office of standards, metrology & Testing Director of the department of European I  
Mrs Kvetoslava STEINLOVA

Représentation Permanente de la Belgique auprès de l'Union européenne  
.

Représentation Permanente de la France  
.



Représentation Permanente du Luxembourg

.

SL

.

Service de l'Energie de l'Etat  
Mr J.-P. Hoffmann

Slovenian Institute for Standardization SIST  
Mrs Vesna Stazisar

State Agency for Metrological and Technical Surveillance  
Violetta Veleva

Undersecretariat of Foreign Trade General Directorate of Standardisation  
Mr Mehmet COMERT

-----  
sent to :

CU N Lovseth Hanne Leen

.

Department of Trade and Industry Office of Science & Innovation  
Mr Philip Plumb

EFTA Surveillance Authority  
Mr. Gunnar Thor PETURSSON

European Free Trade Association

.

Hungarian Notification Centre Ministry of economy & transport  
Mr Zsolt Fazekas

Kauppa-ja teollisuusministeri  
Ms. Leila Orava

Malta standards Authority  
Dr Stephanie A Fenech

Ministry of Economy and Commerce Division for Internal Market  
Razvan CUC

NSAI  
Mr Tony Losty

Représentation Permanente de l'Irlande



EUROPEAN COMMISSION  
GROWTH DIRECTORATE-GENERAL

Single Market for goods  
Prevention of Technical Barriers

Denis Colfer

Représentation Permanente du Royaume-Uni

.

SL

.

State Agency for Metrological and Technical Surveillance  
Violetta Veleva

Undersecretariat of Foreign Trade General Directorate of Standardisation  
Mr Mehmet COMERT