



Notification Number: 2003/249/F

Draft Decree amending Decree No 85-872 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 : 15/07/2003
End of Standstill : 16/10/2003 (16/01/2004)
Issue of comments by : Spain
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - SG(2003) D/51355
Directive 98/34/EC
Translation of the message 001
Notification: 2003/0249/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: 200301355.EN)

1. Structured Information Line

MSG 002 IND 2003 0249 F EN 16-10-2003 15-07-2003 F NOTIF 16-10-2003

2. Member State

France

3. Department Responsible

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3. Originating Department

Ministère de l'économie, des finances et de l'industrie



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4. Notification Number

2003/0249/F - C50A

5. Title

Draft Decree amending Decree No 85-872 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 and marmalades, chestnut purée, other nut purées, prune purée, petal conserve, candied fruit conserve and fruit grape jelly.

7. Notification Under Another Act

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8. Main Content

The draft Decree transposes Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, into national law. It lays down composition criteria to which jams and similar products must conform in order to use the reserved names that appear in Annex I, as well as provisions relating to labelling which supplement those laid down by Directive 2000/13/EC.

Furthermore, the draft text reproduces national regulatory provisions on composition and labelling as regards prune purée, nut purée (other than chestnut), petal conserve, candied fruit conserve and fruit grape jelly. These products are not covered by the Directive and represent small volumes. In national law, these products were already defined in Decree No 85-872 of 14 August 1985.

Keywords: jam, petal conserve, fruit grape jelly

9. Brief Statement of Grounds

In implementation of Article 3 of Directive 2001/113/EC, "for the products defined in Annex I, the Member States shall not adopt national provisions not provided for by this Directive."

However, every Member State has the option to lay down requirements relating to national traditional products insofar as they are different from those that fall within the scope of the Directive and do not create confusion with the products defined at Community level.

Consequently, France would like to retain the provisions relating to prune purée, nut purée (other than chestnut), petal conserve, candied fruit conserve and fruit grape jelly in the draft Decree sent under this notification, since it is necessary to maintain the current level of consumer protection for these traditional products.

10. Reference Documents - Basic Texts



Decree No 85-872 of 14 August 1985 on fruit jams, jellies and marmalades, and other similar products

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

No

16. TBT and SPS aspects

TBT aspect

a) No

iii) The draft does not have any notable impact on international trade.)

SPS Aspect

a) No

b)

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

David O'Sullivan
Secretary-General
European Commission

sent to :

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