



Notification Number: 2005/257/F

Draft Decree on prohibitions regarding the tricholoma equestre mushroom

Date received : 01/06/2005
End of Standstill : 01/06/2005
Invocation of the Emergency Procedure : Yes

Message

Message 002

Communication from the Commission - SG(2005) D/51236
Directive 98/34/EC
Translation of the message 001
Notification: 2005/0257/F

No abre el plazo - Nezaahajuje 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.

(MSG: 200501236.EN)

1. Structured Information Line

MSG 002 IND 2005 0257 F EN 01-06-2005 F NOTIF

2. Member State

France

3. Department Responsible

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3. Originating Department

Ministère de l'Économie, des Finances et de l'Industrie
Direction Générale de la Concurrence, de la Consommation
et de la Répression des Fraudes



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4. Notification Number

2005/0257/F - C50A

5. Title

Draft Decree on prohibitions regarding the tricholoma equestre mushroom

6. Products Concerned

Species and subspecies of the tricholoma equestre mushroom

7. Notification Under Another Act

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8. Main Content

This draft Decree, drawn up on the basis of Article L. 221-3 of the Consumer Code, is intended to prohibit the production, import, export, supply, possession with a view to sale or distribution free of charge, placing on sale, sale or distribution free of charge of tricholoma equestre mushrooms (lato sensu). It continues the prohibitive measures arising from the Order of 16 June 2004, as amended by the Order of 18 November 2004, laid down in implementation of Article L. 221-5 of the Consumer Code. That Order was notified to the Commission on 2 July 2004 (RASSF NEWS No 04-145).

9. Brief Statement of Grounds

The French Food Safety Agency, called upon by the DGCCRF to perform an assessment of the risk associated with ingestion of this mushroom, issued an opinion on 13 October 2003. In particular, it recommended that measures be taken so that this mushroom can no longer be offered for consumption and that collectors and consumers be informed of the risks involved in the event of excessive consumption after picking for personal consumption. The Agency issued another opinion on 13 May 2005, recommending that the prohibitions on these mushrooms be upheld.

10. Reference Documents - Basic Texts

Opinions of the AFSSA of 13 October 2003 and of 13 May 2005

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

In accordance with Article L. 221-5 of the Consumer Code, the Order of 16 June 2004 was laid down for a duration of one year. At the end of this period, the mushroom could be placed back on the market, although consumption of the mushroom has caused several deaths worldwide. Urgency is therefore invoked to fill the legal vacuum that is likely to appear on 16 June next, while the tricholoma equestre mushroom poses a risk proven and recognised by the health authorities.



13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

SPS: Yes

TBT: no, the draft does not have any notable impact on international trade

David O'Sullivan
General Secretary
European Commission

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