



Notification Number: 2006/141/E

## **Draft Royal Decree amending Annex III to Royal Decree No 142 of 1 February 2002 adopting the positive list of additives other than colorants or sweeteners for use in the manufacture of foodstuffs, and their conditions of use**

Date received : 17/03/2006  
End of Standstill : 19/06/2006 ( 18/09/2006)  
Issue of comments by : Commission  
Issue of detailed opinion by : Netherlands

### Message

Message 002

Communication from the Commission - SG(2006) D/50697  
Directive 98/34/EC  
Translation of the message 001  
Notification: 2006/0141/E

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.

(MSG: 200600697.EN)

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

MSG 002 IND 2006 0141 E EN 19-06-2006 17-03-2006 E NOTIF 19-06-2006

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

Spain

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

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Coordinación del Mercado Interior y otras Políticas Comunitarias.

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### 4. Notification Number

2006/0141/E - C80A

### 5. Title

Draft Royal Decree amending Annex III to Royal Decree No 142 of 1 February 2002 adopting the positive list of additives other than colorants or sweeteners for use in the manufacture of foodstuffs, and their conditions of use

### 6. Products Concerned

Nougat and marzipan with water activity above 0'65.

### 7. Notification Under Another Act

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### 8. Main Content

The draft consists of:

- A general section showing the reasons behind the amendment to the heading: Nougat and Marzipan in Annex III to Royal Decree No 142 of 1 February 2002, owing to the technological needs put forward by the manufacturing industry of Nougat and Marzipan to the Spanish Agency for Food Safety
- Sole Article: Amendment to Annex III to Royal Decree No 142/2002.
- Sole Final Provision: Entry into force.

This Royal Decree shall enter into force on the day following its publication in the Spanish Official Gazette.

Annex:

The Heading Nougat and Marzipan shall, according to Annex III to Royal Decree No 142 of 1 February 2002, be divided into two parts:

The categories of traditionally manufactured Nougat and Marzipan are being maintained.

Another category is being included: Nougat and Marzipan with water activity above 0'65, the request for which is the increase in the amount of Sorbates from 1000 mg/kg to 1500 mg/kg.

### 9. Brief Statement of Grounds



This Royal Decree includes a request from the manufacturing industry of Nougat and Marzipan to increase the authorised dose in Royal Decree No 142/2002 of sorbic acid and sorbates in those goods with a water activity above 0'65.

This dose of 1500 mg/kg of sorbic acid and sorbates included in Directive 95/2/EC for confectionary products (excluding chocolate), which includes nougat and marzipan, depending on the Codex category of foodstuffs (heading: 05.2.3 nougat and marzipan), as proposed, does not constitute an increase above values approved at Community level in Directive 95/2/EC.

Furthermore, it must be pointed out that Royal Decree No 142/2002 specifically considers nougat and marzipan, since at the time they were considered to be products that could be included within confectionary, but that, however, need additives suitable for processed dried fruit and other ingredients.

This group of foodstuffs has its own entity in Spain and is subject to a specific Technical Health Regulation for its manufacture and sale (Royal Decree No 1787/1982), which also justifies its presence as such in Royal Decree No 142/2002.

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

a) Royal Decree No 142 of 1 February 2002 adopting the positive list of additives other than colorants or sweeteners for use in the manufacture of foodstuffs, and their conditions of use.

#### **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**

-

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

TBT Aspects

a) SI

SPS Aspects.

b) SI

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