



Notification Number: 2005/492/F

Draft Decree amending the Public Health Code on the health safety of water intended for human consumption

Date received : 16/09/2005

End of Standstill : 19/12/2005

Message

Message 002

Communication from the Commission - SG(2005) D/52172

Directive 98/34/EC

Translation of the message 001

Notification: 2005/0492/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.

(MSG: 200502172.EN)

1. Structured Information Line

MSG 002 IND 2005 0492 F EN 19-12-2005 16-09-2005 F NOTIF 19-12-2005

2. Member State

France

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4. Notification Number

2005/0492/F - C50A

5. Title

Draft Decree amending the Public Health Code on the health safety of water intended for human consumption

6. Products Concerned

Water for human consumption, including packaged natural mineral waters.

7. Notification Under Another Act

Other Directive or Regulation:

- Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs;
- Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules;
- Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC;
- Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters, as amended by Directive 96/70/EC of the European Parliament and of the Council of 28 October 1996 and Commission Directive 2003/40/EC of 16 May 2003 establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters;
- Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption.

8. Main Content

Amendment of the Public Health Code is principally intended to overhaul administrative procedures relating to the health safety of natural mineral waters, which is now devolved to departmental level (R.1322-1 et seq.). In addition to the provisions of Directives 80/777/EEC of 15 July 1980, amended, and 98/38/EC of 3 November 1998, already transposed in the preceding texts, account is taken of the latest Community regulations, applicable to all packaged waters, concerning:

- health rules for foodstuffs (R*.1321-23 and R*.1322-36);
- packaging materials and articles (R.1321-80 and R.1322-37).

Keywords: health safety of natural mineral waters; food hygiene; packaging materials, indication "infants".

9. Brief Statement of Grounds

This draft text simplifies and updates the administrative procedures applicable to water for human consumption



as a whole and in particular the old procedures applicable to natural minerals.

10. Reference Documents - Basic Texts

The references to the basic texts of the draft are in the following articles of the Public Health Code:

- water for human consumption with the exception of natural mineral waters: L.1321-1 et seq.; current R.1321-1 et seq.
- natural mineral waters: L.1322-1 et seq.; current R.1321-69 et seq. and R.13211-1 et seq.

(A table showing correspondence with Community texts and existing articles is attached to the draft)

11. Invocation of the Emergency Procedure

NO

12. Grounds for the Emergency

-

13. Confidentiality

NO

14. Fiscal measures

b) No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect (Agreement on technical barriers to trade)

- a) NO
- b) The draft conforms to an international standard

SPS Aspect (Agreement on sanitary and phytosanitary measures)

- a) NO
- b) The content of the draft is substantially the same as that of an international standard, directive or recommendation.

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European Commission

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