



Notification Number: 2013/649/UK

## **The draft Jam and Similar Products (England) Regulations 2014 The draft Jam and Similar Products (Scotland) Regulations 2014 The draft Jam and Similar Products (Wales) Regulations 2014 The draft Jam and Similar Products (Northern Ireland) Regulations 2014**

Date received : 02/12/2013  
End of Standstill : 03/03/2014 ( **03/06/2014**)  
Issue of comments by : Croatia,France,Hungary,Italy  
Issue of detailed opinion by : Commission,Slovakia

### Message

Message 001

Communication from the Commission - TRIS/(2013) 03165  
Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification -  
Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação -  
Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2013/0649/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata -  
Καμία 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 - Не се предвижда период на прекъсване - Nu deschide perioadele  
de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201303165.EN)

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

MSG 001 IND 2013 0649 UK EN 02-12-2013 UK NOTIF

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

UK

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

Department for Business, Innovation and Skills  
European Reform Directorate  
1 Victoria Street, London, SW1H 0ET.



Email: 9834@bis.gsi.gov.uk.

### 3. Originating Department

Department for Environment, Food and Rural Affairs (Defra)

### 4. Notification Number

2013/0649/UK - C50A

### 5. Title

The draft Jam and Similar Products (England) Regulations 2014  
The draft Jam and Similar Products (Scotland) Regulations 2014  
The draft Jam and Similar Products (Wales) Regulations 2014  
The draft Jam and Similar Products (Northern Ireland) Regulations 2014

### 6. Products Concerned

Notification of a proposed national measure in respect of Council Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption.

The national measure being notified is concerned with the minimum permitted sugar level (soluble dry matter) required for a product to use a reserved description listed in part I of Annex I of Council Directive 2001/113/EC. The proposed change makes use of the provision in part II Annex I, "without prejudice to Article 5(1) of Directive 2000/13/EC, Member States may, however, in order to take account of particular cases, authorise the reserved names for products defined in part I which have a soluble dry matter content of less than 60%".

### 7. Notification Under Another Act

- The UK confirms that there are no proposed changes to the previously agreed national measures for curds and mincemeat which are listed as reserved descriptions 8-11 in schedule 1 composition.

### 8. Main Content

The draft Regulations when made will take advantage of the derogation in the second subparagraph of Part II of Annex I of Directive 2001/113/EC that permits Member States to set a lower permitted soluble dry matter percentage to take account of particular cases. The UK is proposing to lower the permitted soluble dry matter content for all Annex I part I products specified in the Directive (jam, extra jam, jelly, extra jelly, jelly marmalade, marmalade and sweetened chestnut purée) from the current minimum of 60% to 50%.

This notification is being made due to particular cases in existence on the UK market as explained in the statement of grounds.

The relevant provisions are contained in the following provisions in all four domestic Regulations:

Schedule 4: paragraphs 6 (in Part 2), paragraph 13 (in Part 3), paragraph 19 in Part 4, paragraph 26 in Part 5, paragraph 29 in Part 6, Part 7 as read with paragraph 26 (in Part 6) and paragraph 35 in Part 8.

As well as taking advantage of the derogation, the Regulations will (as in the previous sets of Regulations in the UK that the new Regulations will replace) carry forward the implementation of Directive 2001/113/EC in England, Scotland, Wales and Northern Ireland and in addition make other changes (not relevant for the



purposes of this notification).

## 9. Brief Statement of Grounds

The proposed amendment is being made to take account of innovation in the type of jam products now available on the UK market. Over recent years, a wider variety of products have been developed using different mixtures of fruits that have a soluble dry matter content that is below the 60% minimum both in the UK and in other Member States, resulting in some other Member States taking advantage of the derogation to reduce the minimum soluble dry matter content of such products. In order to provide manufacturers with the freedom and flexibility and to avoid stifling innovation we are proposing to lower the minimum soluble dry matter content to 50% to reflect these recent developments.

## 10. Reference Documents - Basic Texts

References of the Basic Texts: Background papers on the UK's public consultations of the draft Jam and Similar Products Regulations can be found at the web links below:

The draft Jam and Similar Products (England) Regulations 2013

<https://www.gov.uk/government/consultations/jam-and-similar-products-england-regulations-2013>

The draft Jam and Similar Products (Scotland) Regulations 2013

<http://www.food.gov.uk/multimedia/pdfs/consultation/jam-consult-pack-scot.pdf>

The draft Jam and Similar Products (Wales) Regulations 2013

<http://www.food.gov.uk/multimedia/pdfs/consultation/jam-consultpack-wales13.pdf>

The draft Jam and Similar Products (Northern Ireland) Regulations 2013

<http://www.food.gov.uk/multimedia/pdfs/consultation/jam-consult-ni-pack.pdf>

The Current Jam and Similar Products (England) Regulations 2003

[http://www.legislation.gov.uk/ukxi/2003/3120/pdfs/ukxi\\_20033120\\_en.pdf](http://www.legislation.gov.uk/ukxi/2003/3120/pdfs/ukxi_20033120_en.pdf)

## 11. Invocation of the Emergency Procedure

No

## 12. Grounds for the Emergency

-

## 13. Confidentiality

No

## 14. Fiscal measures

No

## 15. Impact assessment

Can be found using the same links as section 10.

## 16. TBT and SPS aspects

TBT aspect



EUROPEAN COMMISSION  
GROWTH DIRECTORATE-GENERAL

Single Market for goods  
Prevention of Technical Barriers

No - The draft has no significant impact on international trade

SPS aspect

No - The draft has no significant impact on international trade

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European Commission

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