



Notification Number: 2013/630/E

Draft Royal Decree amending Royal Decree 191/2011, of 18 February, on the general sanitary registry for food companies and foodstuffs.

Date received : 20/11/2013

End of Standstill : 21/02/2014

Message

Message 002

Communication from the Commission - TRIS/(2013) 03011

Directive 98/34/EC

Translation of the message 001

Notification: 2013/0630/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 - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201303011.EN)

1. Structured Information Line

MSG 002 IND 2013 0630 E EN 20-11-2013 E NOTIF

2. Member State

E

3. Department Responsible

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

Dirección General de Coordinación de Políticas Comunes y de Asuntos Generales de la Unión Europea. Secretaría de Estado para la Unión Europea.

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3. Originating Department

Subdirección General de Gestión de Riesgos Alimentarios.
Agencia Española de Seguridad Alimentaria y Nutrición.
Ministerio de Sanidad, Servicios Sociales e Igualdad.

4. Notification Number

2013/0630/E - C00A

5. Title

Draft Royal Decree amending Royal Decree 191/2011, of 18 February, on the general sanitary registry for food companies and foodstuffs.

6. Products Concerned

Natural mineral waters and spring waters. Foodstuffs intended for particular nutritional uses. Registry.

7. Notification Under Another Act

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8. Main Content

The measures of the draft are aimed at companies that produce or sell certain food products, such as natural mineral waters and spring waters and foodstuffs intended for particular nutritional uses.

The goal is to reduce the administrative burdens regarding natural mineral waters, as well as foodstuffs intended for particular nutritional uses, through the removal of the requirement of specific registry, with the consequent elimination of bureaucratic hurdles involved in this. These are simplified by this provision, by only applying the notification procedure for the placement on the market by the entity responsible of the product for the purposes of official control, provided for in Directive 2009/39/EC of the European Parliament and of the Council, of 6 May 2009, related to foodstuffs intended for particular nutritional uses and, in consequence, it also applies for dietary foodstuffs for particular medical uses that can be financed through the national health system.

On the other hand, the option of voluntary registry given until now to companies or establishments situated within the territory of the European Union that operate in Spain is removed.

9. Brief Statement of Grounds

During the time that has elapsed since the entry into force of the previous Royal Decree 191/2011, the possibility of further reducing the administrative burdens by simplifying the procedures relating to natural mineral waters and certain foodstuffs intended for particular nutritional uses has been determined, without prejudice to food safety and application of the regulatory legislation for the access and exercise of service activities within the European Union imposed by Directive 2006/123/EC of the European Parliament and of the Council.

The main objective is therefore the reduction of administrative burdens and the removal of additional requirements that have become unnecessary from the perspective of food safety and that bring with them an unjustified additional burden with respect to the manufacturers of other foodstuffs. All of this does not compromise the census of the products and maintains sufficient conditions to facilitate the official control of



products subjected to registration according to the provisions of Article 3 of Royal Decree 191/2011, of 18 February, on the general sanitary registry of food companies and food stuffs.

The measures contained in the draft are particularly aimed at the manufacturing industries that produce certain foodstuffs, such as natural mineral waters and foodstuffs intended for particular nutritional uses. Equally, the registry requirement for dietary foodstuffs for special medical uses is removed, so that these can be financed by the national health system.

Finally, the registry of companies or establishments from other countries of the European Union, while voluntary, is meaningless as the establishments are already registered by the competent authority responsible for official control in the country where they are located.

10. Reference Documents - Basic Texts

References to the basic texts: Royal Decree 191/2011, of 18 February, on the general sanitary registry of food companies and food stuffs.

The basic texts were forwarded with an earlier notification: 2010/76/E

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

The emergency procedure allows more immediate compliance with the provisions of Directive 2006/123/EC, of the European Parliament and of the Council, of 12 December 2006, on services in the internal market, that considers the simplification of procedures in Article 5 of Chapter II titled "Administrative Signification", and of the current Royal Decree - Law 20/2011, of 30 December, on urgent budgetary, tax and financial measures for the correction of the public deficit, that in turn involves an earlier economic and administrative benefit.

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

It is estimated that it will have a positive effect, by facilitating procedures for the placing on the market of foodstuffs that are the subject of the draft. It implies a reduction in administrative burdens.

16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft is not a sanitary or phytosanitary measure.



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

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