



Notification Number: 1997/238/F

Decree amending the Decree of 15 April 1912 for the application of the Law of 1 August 1905 on frauds and falsifications concerning food-related products or services.

Date received : 14/05/1997
End of Standstill : Closed
Invocation of the Emergency Procedure : Yes

Message

REP PERMANENTE ROYAUME UNI
REP PERMANENTE IRLANDE
REP PERMANENTE GRECE
MINISTRY OF INDUSTRY, ENERGY & TECHNOLOGY
ATT. MR. Z.P. MAVROUKAS
HELLINIKOS ORG. TYPOPISOES
ATT. MR. MELAGRAKIS
DGS INTERNATIONAL BELGIUM
DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,
ATT. MRS. B. O'GRADY
INST INDUST RESEARCH.
ATT. MR. J. NULTY
KOMMERSKOLLEGIUM
ATT. MS. KERSTIN CARLSSON
MINISTRY OF TRADE AND INDUSTRY
ATT. MS. NIEMINEN
EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY
EUROPEAN FREE TRADE ASSOCIATION
ATT. MS. BAKKE-D'ALOYA
TELEX 002



COMMUNICATION FROM THE COMMISSION - SG (97) D/51166/2
DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC
TRANSLATION OF TELEX 001
NOTIFICATION 97/0238/F

- 3B1 : 9701166.EN

1. Structured Information Line

TLX 002 IND- 97 0238 F-- EN ----- 970514 --- ---

2. Member State

France

3. Department Responsible

Délégué interministériel aux normes
22 rue Monge
F-75005 Paris

3. Originating Department

Ministère de l'Economie et des Finances
Direction Générale de la Concurrence, de la Consommation et
de la Répression des Fraudes
59 Bd Vincent Auriol
F-75703 Paris Cedex 13

4. Notification Number

97/238/F

5. Title

Decree amending the Decree of 15 April 1912 for the
application of the Law of 1 August 1905 on frauds and
falsifications concerning food-related products or services.

6. Products Concerned

Food for babies and food supplements.

7. Notification Under Another Act

-

8. Main Content

This draft decree is intended to replace the Decree of 10

April 1996 banning the use in food for young children and
food supplements of certain animal tissues of bovine origin
which present the potential risk of transmitting bovine
spongiform encephalopathy to man.

This text refers to the ban contained in the Decree of 10
April 1996 and extends it to tissues of ovine and caprine
origin and embryonic tissues.



These measures come under the protection of consumer health.

9. Brief Statement of Grounds

Current developments linked to the problem of bovine spongiform encephalopathy (BSE) lead France to take the additional safety measures required by the specific authorities in order to prevent any risk of transmission of BSE to man.

New scientific data mention the possibility of transmission of BSE to sheep via bones, which throws into question the idea of a species barrier. In addition, the risks linked to the consumption of certain tissues of caprine origin are very similar to those presented by tissues of ovine origin.

The extension of the ban on using certain lymphatic and nerve tissues of bovine origin reputed to be the most at risk to the same tissues of caprine and ovine origin and also embryonic extracts is intended to remove all risk of contamination to baby foods such as stipulated in the annex to Directive 89/398 concerning foodstuffs intended for a specific use as well as food supplements.

10. Reference Documents - Basic Texts

1. Decree of 15 April 1912 applying the Law of 1 August 1905 on frauds and falsifications regarding products and services, concerning foodstuffs and particularly meat, meat products, fruit, vegetables, fish and tinned products.

2. Decree no. 96.307 of April 1996 adding to the Decree of 15 April 1912 applying the Law of 1 August 1905 on frauds and falsifications regarding products and services concerning foodstuffs. Notified under number 94/0271/F.

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

The notified draft decree covers the measures brought in by the Decree of 10 April 1996 and extends them to tissues of caprine and ovine origin as well as embryonic extracts.

The French authorities wish to underline the urgency of the need to take the measures which are being enforced, as quickly as possible, in order to prevent any risk of transmission of BSE to man.

Indeed, French scientific authorities have underlined the importance of exercising precaution with growing bodies, i.e. infants and young children, and also consumers of food supplements, where these are likely to contain large



quantities of the tissues which are included in the ban.
These measures for the protection of public health must be
adopted as quickly as possible.

13. Confidentiality

-

14. Fiscal measures

-

D. WILLIAMSON
COMEUR
NNNN