Food safety: aligning certain acts with the TFEU; powers conferred on the Commission

2012/0075(COD) - 09/10/2013 - Final act

PURPOSE: to amend Directives 1999/4/EC, 2000/36/EC, 2001/111/EC, 2001/113/EC and 2001/114/EC (known as the “breakfast” directives) as regards the powers to be conferred on the Commission (delegated powers).

LEGISLATIVE ACT: Regulation (EU) No 1021/2013 of the European Parliament and of the Council amending Directives 1999/4/EC and 2000/36/EC as well as Council Directives 2001/111/EC, 2001/113 /EC and 2001/114/EC as regards the powers to be conferred on the Commission.

CONTENT: the regulation aims to **align the existing Commission implementing powers provided by the five so-called “breakfast” directives** with the Treaty on the Functioning of the European Union (TFUE) and in particular with **Article 290** which allows the Commission to adopt **delegated acts**. This adoption follows a first reading agreement with the European Parliament.

The five so-called “breakfast” directives relate to:

- coffee and chicory extracts (Directive 1999/4/EC);
- cocoa and chocolate products (Directive 2000/36/EC);
- sugars (Directive 2001/111/EC);
- fruit jams, jellies and marmalades (Directive 2001/113/EC);
- dehydrated milk (Directive 2001/114/EC).

The proposal ensures that the Commission shall be empowered to adopt **appropriate acts** to amend the Annexes to **take account of technical progress** and the developments in relevant international standards.

The power to adopt delegated acts shall be conferred on the Commission for a period of **five years from 18 November 2013**, this period to be tacitly extended for periods of an identical duration.

The time allowed to Parliament and to the Council to object to a delegated act shall be **two months** from the notification of this act. The period may be extended by **two months** at the initiative of the European Parliament or of the Council.

ENTRY INTO FORCE: 18/11/2013.