Foodstuffs: labelling, presentation and advertising (amend. Directive 79/112/EEC)

1991/0380(COD) - 15/06/1995 - Council position

The Council finally adopted this common position, with the German delegation voting against, which took over two of Parliament's amendments that the Commission had incorporated in its amended proposal: - With regard to the name under which a product was sold, the Council completely redrafted Article 5 of Directive 79/112/EEC in order to take account of developments in the relevant case law of the Court of Justice (Smanor judgment, judgment in the "vinegar" case). The reference to the regulations governing designations of origin and certificates of specific character requested by the EP was rejected; - With regard to the indication of quantities of ingredients, the Council clarified certain principles with a view to facilitating their application in practice. Certain exceptions were included for cases where the indication of the quantity of an ingredient did not govern the choice of the consumer (e.g. rye bread, malt whisky). The amendment aimed at clarifying the concept of "relief" was accepted; - With regard to the technical aspect of products consisting of a single ingredient, the Council preferred to refer to the procedure of the Standing Committee on Foodstuffs to define products consisting of a single ingredient where it was necessary to clarify the nature of that ingredient; - With regard to the language used on labelling, the Council responded to Parliament's concerns (the language should be easily understood by the consumer), whilst incorporating certain changes to take account of specific national characteristics; - With regard to the deadline for implementation, the Council followed the EP's guidelines and set a deadline of 36 months after the entry into force of the directive; - With regard to the labelling of alcoholic drinks, the Council did not manage to find a solution; - Finally, with regard to the definition of small packaging, the Council did not accept the EP's amendment which was included in the Commission's amended proposal and which aimed to increase the largest surface area of small packaging from 10 cm2 to 25 cm2.