

Cocoa and chocolate products intended for human consumption

1996/0112(COD) - 28/10/1999 - Council position

The Council believes that to a large extent the common position meets the substance of the wishes expressed by the European Parliament, especially as regards the restriction on vegetable fats other than cocoa butter and the question of double labelling. With regard to vegetable fats other than cocoa butter, it believes that it has gone even further than the European Parliament by defining these fats as equivalents to cocoa butter and drawing up a list containing six specific fats of tropical origin (new Annex II), which are defined according to scientific and technical criteria. Furthermore, any enzyme treatment is prohibited. A seventh fat - coconut oil - is allowed only for the manufacture of ice-creams and similar frozen products. The Council has followed the Commission in accepting the principle of double labelling vegetable fats other than cocoa butter; it has laid down a specific statement which must appear on the wrapper, in addition to the list of ingredients. With regard to the positioning of this statement on the wrapping, it has provided that three elements, namely the statement that vegetable fats are included, the name under which the product is sold, and the list of ingredients, must feature in the same field of vision, but each clearly distinct from the other. The Council has introduced a new paragraph, as it judged it appropriate to make provision for the application of the co-decision procedure for any future amendments to the list of vegetable fats set out in Annex II. By the introduction of this new paragraph, the Council has fixed a deadline (66 months after the Directive comes into force) before which the Commission submits a proposal to amend the list of vegetable fats. This proposal will eventually take account of the results of a study to be carried out by the Commission on the Directive's impact on the economies of countries producing cocoa and other vegetable fats. Finally, with regard to comitology, the Council replaced the consultation procedure proposed by the Commission by the regulatory procedure.