Basic information

1994/0235(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Exploitation and marketing of natural mineral waters Repealed by 2007/0292(COD) **Subject** 3.10.10 Foodstuffs, foodstuffs legislation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection	FLORENZ Karl-Heinz (PPE)	23/11/1994

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection	FLORENZ Karl-Heinz (PPE)	23/11/1994

Former committee for opinion	Former rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	GAROSCI Riccardo (FE)	26/10/1994

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	1886	1995-11-23
Agriculture and Fisheries	1944	1996-07-24
Fisheries	1899	1995-12-22

Key events

Date	Event	Reference	Summary
10/10/1994	Additional information		Summary
17/10/1994	Legislative proposal published	COM(1994)0423	Summary
24/10/1994	Committee referral announced in Parliament, 1st reading		

18/07/1995	Vote in committee, 1st reading		Summary
18/07/1995	Committee report tabled for plenary, 1st reading	A4-0195/1995	
10/10/1995	Debate in Parliament		Summary
29/11/1995	Modified legislative proposal published	COM(1995)0563 	Summary
22/12/1995	Council position published	12676/1/1995	Summary
01/02/1996	Committee referral announced in Parliament, 2nd reading		
15/04/1996	Vote in committee, 2nd reading		Summary
15/04/1996	Committee recommendation tabled for plenary, 2nd reading	A4-0116/1996	
21/05/1996	Debate in Parliament		Summary
24/07/1996	Act approved by Council, 2nd reading		
28/10/1996	Final act signed		
28/10/1996	End of procedure in Parliament		
23/11/1996	Final act published in Official Journal		

Technical information

Procedure reference	1994/0235(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Repealed by 2007/0292(COD)
Legal basis	EC Treaty (before Amsterdam) E 100A
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/07443

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0195/1995 OJ C 269 16.10.1995, p. 0010	18/07/1995	
Text adopted by Parliament, 1st reading/single reading		T4-0450/1995 OJ C 287 30.10.1995, p. 0076-0101	11/10/1995	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0116/1996 OJ C 152 27.05.1996, p. 0005	15/04/1996	
Text adopted by Parliament, 2nd reading		T4-0236/1996 OJ C 166 10.06.1996, p. 0053-0061	22/05/1996	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	12676/1/1995 OJ C 059 28.02.1996, p. 0044	22/12/1995	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1994)0423 OJ C 314 11.11.1994, p. 0004	17/10/1994	Summary
Modified legislative proposal	COM(1995)0563 OJ C 033 06.02.1996, p. 0015	29/11/1995	Summary
Commission communication on Council's position	SEC(1996)0172	30/01/1996	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1996)0276	13/06/1996	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0196/1995 OJ C 110 02.05.1995, p. 0055	22/02/1995	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1996/0070
OJ L 299 23.11.1996, p. 0026 Summary

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 29/11/1995 - Modified legislative proposal

The amended proposal incorporated Parliament's amendments concerning: - the duration of the validity of certification recognising waters from third countries (five years); - the removal of the paragraph doing away with Article 9(4) of Directive 80/777/EEC. Furthermore, subject to changes in the form, the Commission also accepted the amendments concerning: - the treatments authorised for use with natural mineral waters, which should be clarified; - the requirements relating to the reference to treatments used for natural mineral waters, with a view to providing better protection for the consumer; - the rules relating to the definition of "spring water", on condition that it was clear that spring water would continue to come under the

general regulations applied to all drinking water, as set out in Directive 80/778/EEC. The Commission did not accept the amendment stipulating that the toxic parameters to be applied to the quality of water intended for human consumption contained in Directive 80/778/EEC should also be applied to natural mineral waters.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 13/06/1996 - Commission opinion on Parliament's position at 2nd reading

The Commission agreed with the European Parliament's two amendments on natural mineral waters and amended its proposal accordingly.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 17/10/1994 - Legislative proposal

The purpose of this Commission proposal is to rationalize Directive 80/777/EEC by: - updating certain specific provisions in order to take account of scientific and technical progress achieved in the 14 years since the directive was adopted; - bringing certain provisions of the directive into line with the general provisions of Community legislation on foodstuffs. The main changes made by the Commission aim to: - ensure that natural mineral waters do not present a risk to public health (by setting limits agreed at Community level for concentrations of certain constituents and adopting methods of analysis for checking that mineral water is not contaminated); - clarify that natural mineral water may be treated with ozone under strictly defined conditions as regards possible health risks; - require that the composition of the water be stated on the label; - increase the duration of the validity of certification of mineral waters imported from third countries to ten years. The Commission also proposes to: - include a specific obligation in the directive to consult the Scientific Committee for Food before adopting measures which may affect public health; - introduce a safeguard clause permitting rapid decisions at Community level in cases of serious contamination of natural mineral waters; - repeal the provision allowing Member States to prevent imports of natural mineral waters from third countries in application of non-harmonized national legislation.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 22/12/1995

The common position was adopted by a qualified majority. The British, Danish and Swedish delegations voted against and the Dutch delegation abstained.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 22/12/1995 - Council position

The common position took account of the amendments incorporated in the Commission's amended proposal, particularly those concerning: - the plan to limit to five years the validity of certification for natural mineral waters imported from third countries; - the fact that the Commission should forward a report to the Council, and if necessary present it with a proposal, on the application of the provisions concerning the toxicity of certain constituents of the water; Moreover, the common position expanded on aspects of some of the EP's amendments, particularly in the following areas: - the procedure for adopting the conditions of use concerning the treatment of certain natural mineral waters with ozone-enriched air, including formal consultation of the Scientific Committee for Food; - the labelling requirements to be applied where this treatment was used; - certain aspects of the definition of "spring water": this water should satisfy the provisions of Directive 80/778/EEC and should, in principle, be bottled at source.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 30/01/1996 - Commission communication on Council's position

The Commission supported the Council's common position.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 22/05/1996 - Text adopted by Parliament, 2nd reading

Adopting the report by Mr Karl-Heinz FLORENZ (PPE, D), Parliament amended at second reading the proposal amending the 1980 directive on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters. Since the Council had incorporated in its common position 5 of the 7 amendments tabled by Parliament at first reading, Parliament only introduced amendments concerning spring waters and, notably, that there should be no bar to the utilization of spring waters in the manufacture of soft drinks.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 28/10/1996 - Final act

OBJECTIVE: to amend and rationalize Directive 80/777/EEC concerning the exploitation and marketing of natural mineral waters. COMMUNITY MEASURE: Directive 96/70/EC of the European Parliament and of the Council amending Council Directive 80/777/EEC on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters. SUBSTANCE: the principal changes introduced by the Directive concern the following points: - the separation of undesirable constituents from certain natural mineral waters by treatment with ozone-enriched air; - in the interests of consumer information, the requirement to include a statement of the analytical composition of natural mineral waters on the labelling; - extension of the period of recognition for natural mineral waters originating from third countries in order to simplify the administrative procedures: this period may not exceed five years; - extension of the scope of the Directive to waters bottled as 'spring water'; - introduction of a safeguard clause permitting rapid decisions by the Member States in cases of contamination of natural mineral waters. Member States should amend their legislation so as to: - permit trade in products complying with the Directive by not later than 28 October 1997; - prohibit trade in products not complying with the Directive with effect from 28 October 1998. DATE OF ENTRY INTO FORCE: 13 December 1996.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 22/02/1995 - Economic and Social Committee: opinion, report

The amended proposal for a directive was approved, with the following specific comments: - Article 4(1) referred to the separation of unstable constituents; the ESC considered that reference should also be made to the separation of ‘undesirable constituents’ in order to take account of advances in the field of toxicology, subject to the proviso that these constituents were removed using methods authorised under the directive being considered; - the ESC considered that it should be mandatory in all cases for the labelling of natural mineral waters to list any treatment that the water had undergone, in order to avoid any grounds for misapprehension and to guarantee fair trade, unlike the proposed amendment to Article 7(3), which left it up to the Member States to take such action; there should, however, never be any question of making specific reference to the processes of decantation and filtration since these processes had always been used to treat both mineral water and tap water; - under the proposed new Article 11, the Scientific Committee for Food was to be consulted on ‘the limits for the levels of constituents of natural mineral waters’. In the ESC’s view, it would be perfectly appropriate for the Scientific Committee for Food also to be consulted in respect of the definition of these ‘undesirable constituents’.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 23/11/1995

The Council, by a qualified majority, recorded its political agreement to the amendment to Directive 80/777/EEC on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters. The Netherlands delegation abstained; the United Kingdom , Danish and Swedish delegations were against this agreement, which is to be formally adopted in the near future as a Council common position before being forwarded to the European Parliament for continuation of the codecision procedure.

Exploitation and marketing of natural mineral waters

1994/0235(COD) - 11/10/1995 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Karl-Heinz FLORENZ (PPE, D), the European Parliament approved the proposal to amend the directive on the marketing of natural mineral waters with the following amendments: - the validity of the certification for waters from third countries should not exceed five years (instead of ten years); - natural mineral waters should not be subject to any treatment other than the separation of unwanted or volatile constituents, such as iron, manganese, sulphur and arsenic compounds, by means of filtration or decantation; - apart from the separation of unwanted constituents, only aeration was permitted in the treatment of water (including the use of ozone-enriched air, which should be carried out and controlled in accordance with the procedure laid down in Directive 80/777/EEC); - the processes used for treating water should be indicated on the labels of bottles; - limits for the concentration of natural constituents were established; - the description of natural mineral water was strengthened: the term "mineral water" would apply to a water which was drinkable in its natural state, bottled at the spring and subject to the rules and checks laid down in the Directive with regard to quality, in so far as it had not received any other treatment, apart from filtration, decantation or aeration, and its labelling clearly distinguished it from a natural mineral water.