


Basic information	
<b>1994/0327(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)  Repealed by <a href="#">2008/0003(COD)</a>	
<b>Subject</b>  3.10.10 Foodstuffs, foodstuffs legislation	


Key players			
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>
	<div>ENVI</div> Environment, Public Health and Consumer Protection		
	<b>Former committee responsible</b>		<b>Former rapporteur</b>
	<div>ENVI</div> Environment, Public Health and Consumer Protection		LEOPARDI Giacomo (FE)
	<b>Former committee for opinion</b>		<b>Former rapporteur for opinion</b>
	<div>ECON</div> Economic and Monetary Affairs, Industrial Policy		LANGEN Werner (PPE)
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	<b>Council configuration</b>		<b>Meetings</b>
Council of the European Union	Competitiveness (Internal Market, Industry, Research and Space)		1929
	Transport, Telecommunications and Energy		1937
	Environment		1978

Key events			
Date	Event	Reference	Summary
16/12/1994	Legislative proposal published	COM(1994)0600	<a href="#">Summary</a>
16/01/1995	Committee referral announced in Parliament, 1st reading		

18/07/1995	Vote in committee, 1st reading		<a href="#">Summary</a>
18/07/1995	Committee report tabled for plenary, 1st reading	<a href="#">A4-0176/1995</a>	
10/10/1995	Debate in Parliament		<a href="#">Summary</a>
04/12/1995	Modified legislative proposal published	COM(1995)0586	<a href="#">Summary</a>
18/06/1996	Council position published	07724/1/1996	<a href="#">Summary</a>
19/09/1996	Committee referral announced in Parliament, 2nd reading		
08/10/1996	Vote in committee, 2nd reading		
09/12/1996	Act approved by Council, 2nd reading		
19/12/1996	Final act signed		
19/12/1996	End of procedure in Parliament		
19/02/1997	Final act published in Official Journal		

Technical information	
Procedure reference	1994/0327(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Repealed by <a href="#">2008/0003(COD)</a>
Legal basis	Rules of Procedure EP 66_o-p4 EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/07976

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A4-0176/1995</a> OJ C 269 16.10.1995, p. 0009	18/07/1995	
Council of the EU				
Document type	Reference		Date	Summary
Council position	07724/1/1996 OJ C 315 24.10.1996, p. 0001		18/06/1996	<a href="#">Summary</a>
European Commission				
Document type	Reference		Date	Summary
Legislative proposal	COM(1994)0600 OJ C 389 31.12.1994, p. 0021		16/12/1994	<a href="#">Summary</a>

Modified legislative proposal	COM(1995)0586 OJ C 041 13.02.1996, p. 0013	04/12/1995	<a href="#">Summary</a>	
Commission communication on Council's position	SEC(1996)1604 	23/07/1996	<a href="#">Summary</a>	
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES0795/1995</a> OJ C 256 02.10.1995, p. 0001	05/07/1995	<a href="#">Summary</a>

Additional information		
Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

Final act
Directive 1996/0084 OJ L 048 19.02.1997, p. 0020 <a href="#">Summary</a>

## Foodstuffs intended for particular nutritional uses (amend. Directive 89/398 /EEC)

1994/0327(COD) - 05/07/1995 - Economic and Social Committee: opinion, report

The ESC welcomed the Commission proposal and endorsed its objectives of shortening the approval times. However, it called on the Commission to reduce the length of time that could elapse between submission of a request for approval to market an innovative product and the adoption of the opinion of the Scientific Committee for Food.

## Foodstuffs intended for particular nutritional uses (amend. Directive 89/398 /EEC)

1994/0327(COD) - 23/07/1996 - Commission communication on Council's position

The Commission considered that the Council's introduction of a type IIIa committee procedure for the granting of temporary authorization made a nonsense of the proposal because the facility to amend specific directives using this procedure already existed. The Commission was therefore unable to support the common position.

## Foodstuffs intended for particular nutritional uses (amend. Directive 89/398 /EEC)

1994/0327(COD) - 16/12/1994 - Legislative proposal

The specific directives which follow on from Directive 89/398/EEC on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses contain provisions governing the composition of the dietetic products in question. Amendments to be made to these directives, the main purpose of which is to include technological innovations, are approved in accordance with the procedure of the Standing Committee for Foodstuffs, after consultation with the Scientific Committee for Food. However, the procedure takes so long that the industries responsible for these innovations are unable to utilise the results of their research, thereby hampering their competitiveness at world level. The purpose

of this proposal is to introduce a procedure granting temporary authorisation to market products based on this research, so that companies manufacturing dietetic products can take advantage of their innovations by having sufficient time to place their new products on the market ahead of the competition. Temporary marketing authorisation will be valid for a period of two years and will only be granted after consultation with the Scientific Committee for Food.

## **Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)**

1994/0327(COD) - 23/10/1996 - Text adopted by Parliament, 2nd reading

Parliament approved the common position of the Council without making any amendments.

## **Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)**

1994/0327(COD) - 18/06/1996

The Council adopted its common position. The text was to be referred to Parliament for a second reading under the codecision procedure.

## **Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)**

1994/0327(COD) - 11/10/1995 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Giacomo LEOPARDI (UPE, I), the European Parliament approved the proposal on foodstuffs for particular nutritional uses with the following amendments: - the authorisation for marketing products should be temporary; - with regard to comitology: authorisation should only be granted after consultation of the Scientific Committee for Food and in accordance with the interinstitutional "modus vivendi" of 20 December 1994 relating to implementing measures for acts adopted under the codecision procedure; - the information concerning newly developed foodstuffs should remain confidential during the authorisation procedure.

## **Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)**

1994/0327(COD) - 18/06/1996 - Council position

The Council common position differs from the amended Commission proposal in that it incorporates the European Parliament amendment providing for the introduction of the type IIIa comitology procedure for the granting of temporary authorization.

## **Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)**

1994/0327(COD) - 19/12/1996 - Final act

OBJECTIVE: to provide for a procedure allowing foodstuffs resulting from technological innovations to be placed temporarily on the market in order to utilize the results of the industry's research. COMMUNITY MEASURE: European Parliament and Council Directive 96/84/EC amending Council Directive 89/398/EEC on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses.

SUBSTANCE: the directive puts in place a special procedure permitting limited authorization (for two years) for the marketing of newly developed foodstuffs for particular nutritional uses which are the result of technological innovations. The purpose is to enable firms manufacturing dietetic products to make use of their innovations by having enough time to put their new products on the market without immediately being faced with competition. Temporary marketing authorization will be given only after consultation with the Scientific Committee for Food. ENTRY INTO FORCE: 11/03/1997 DEADLINE FOR TRANSPOSITION: 30/09/1997

## **Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)**

1994/0327(COD) - 28/05/1996

The Council reached unanimous agreement on its common position. After finishing touches had been put to the text, the common position would be adopted and then referred to Parliament for a second reading under the codecision procedure.

## **Foodstuffs intended for particular nutritional uses (amend. Directive 89/398/EEC)**

1994/0327(COD) - 04/12/1995 - Modified legislative proposal

The amended proposal of the Commission accepts the amendments relating to the introduction of a new recital referring to the agreement on a 'modus vivendi' between the European Parliament, the Council and the Commission. However, the Commission did not accept the amendments concerning the introduction of the Standing Committee procedure laid down in Article 13 of Directive 89/398/EEC for the granting of the temporary authorization. Nonetheless, the Commission has amended its original proposal in order to incorporate an express reference to a consultative committee type procedure.