Basic information

2010/0254(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Fruit juices and certain similar products intended for human consumption Amending Directive 2001/112/EC 1996/0115(CNS) **Subject** 3.10.06.08 Wine, alcoholic and non-alcoholic beverages 4.60.02 Consumer information, advertising, labelling 4.60.04.04 Food safety	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	PERELLÓ RODRÍGUEZ Andrés (S&D)	15/12/2010

Committee for opinion	Rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development	DĂNCILĂ Viorica (S&D)	29/09/2010

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	3151	2012-03-08

European Commission

Commission DG	Commissioner
Agriculture and Rural Development	CIOLOŞ Dacian

Key events

Date	Event	Reference	Summary
21/09/2010	Legislative proposal published	COM(2010)0490	Summary
23/09/2010	Committee referral announced in Parliament, 1st reading		
24/05/2011	Vote in committee, 1st reading		Summary
09/06/2011	Committee report tabled for plenary, 1st reading	A7-0224/2011	
13/12/2011	Debate in Parliament		

14/12/2011	Decision by Parliament, 1st reading	T7-0567/2011	Summary
14/12/2011	Results of vote in Parliament		
08/03/2012	Act adopted by Council after Parliament's 1st reading		
19/04/2012	Final act signed		
19/04/2012	End of procedure in Parliament		
27/04/2012	Final act published in Official Journal		

Technical information

Procedure reference	2010/0254(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2001/112/EC 1996/0115(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/03880

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE456.779	11/04/2011	
Amendments tabled in committee		PE464.677	02/05/2011	
Committee opinion	AGRI	PE452.907	03/05/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0224/2011	09/06/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0567/2011	14/12/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00074/2011/LEX	19/04/2012	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2010)0490	21/09/2010	Summary
Commission response to text adopted in plenary	SP(2012)90	01/02/2012	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2010)0490	15/11/2010	
Contribution	PT_PARLIAMENT	COM(2010)0490	18/11/2010	
Contribution	IT_CHAMBER	COM(2010)0490	02/12/2010	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0068/2011	19/01/2011	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2012/0012
OJ L 115 27.04.2012, p. 0001 Summary

Fruit juices and certain similar products intended for human consumption

2010/0254(COD) - 21/09/2010 - Legislative proposal

PURPOSE: to amend Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption.

PROPOSED ACT: Directive of the European Parliament and of the Council.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASE: Article 43 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: Council Directive 2001/112/EC lays down rules governing the composition, use of reserved descriptions, manufacturing specifications and labelling of the products concerned, in order to ensure their free movement within the European Union.

This amendment of the directive, which amends Directive 2001/112/EC for the second time, is based on revised international standards, in particular the Codex Alimentarius for fruit juices and nectars (Codex Stan 247-2005) and the Code of Practice of the European Fruit Juice Association (AIJN).

This draft directive, which is technical in nature, reaffirms the distinction between fruit juice and fruit juice from concentrate, simplifies the provisions on the restitution of flavour and aroma, provides for the removal of sugar from the list of authorised ingredients and includes tomatoes in the list of fruits used for fruit juice production.

This proposed directive will take account, as of now, of the redefinition of the competences of the Commission (Articles 290/291 of the Treaty). Consequently, it will amend the current directive by including all implementing measures in the category of delegated acts.

BUDGETARY IMPLICATION: the proposal has no implication for the Community budget.

Fruit juices and certain similar products intended for human consumption

2010/0254(COD) - 14/12/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 585 votes to 33, with 11 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption.

Parliament adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement negotiated between the European Parliament and the Council. They amend the proposal as follows:

Taking into account international standards: in order to protect the interests of consumers and to enhance the free movement of fruit juices and certain similar products within the European Union, Council Directive 2001/112/EC of 20 relating to fruit juices and certain similar products intended for human consumption has laid down specific provisions regarding production, composition and labelling of the products concerned. Those rules should be adapted to technical progress and should, as far as possible, take account of developments in relevant international standards, in particular the Codex Standard for fruit juices and nectars (Codex Stan 247-2005). The Codex Standard establishes, in particular, quality factors and labelling requirements for fruit juices and similar products.

Labelling: specific provisions of Directive 2001/112/EC on the labelling of fruit juices and similar products are amended to reflect the new rules on authorised ingredients, such as those pertaining to the addition of sugars, which are no longer authorised in fruit juices. For other products, added sugars should continue to be labelled in accordance with Directive 2000/13/EC.

The nutrition claim 'with no added sugars': this claim has been used in relation to fruit juice for a very long time. In the light of the new compositional requirements for fruit juices provided for in this Directive, its disappearance from one day to the next after the transitional period might not allow an immediate clear distinction between fruit juices and other drinks in terms of the addition of sugars in the products, which would be detrimental to the fruit juices sector. Consequently, the amended text makes provision, for a limited time, to enable the industry to inform consumers properly.

The statement 'from … ++ no fruit juices contain added sugars' may appear on the label in the same field of vision as the name of products until four years and six months from the entry into force of the Directive ++.

Transitional period: in order to allow Member States to adopt national laws, regulations and administrative provisions necessary to comply with this Directive, a transposition period of **18 months** should be established. During that period the requirements of Directive 2001/112/EC without the amendments introduced by this Directive should remain applicable.

In order to take into account the interests of economic operators who place on the market or label their products in accordance with the requirements applicable before the application of the national provisions transposing this Directive, the amended text states that these products may continue to be marketed until **three years** from the date of entry into force of this Directive.

Delegated acts: in order to bring the Annexes to Directive 2001/112/EC into line with developments in relevant international standards and to take into account technical progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the Annexes to Directive 2001/112/EC, with the exception of Part I of Annex I, and of Annex II.

A transposition period of 18 months should be established for this Directive.

Fruit juices and certain similar products intended for human consumption

2010/0254(COD) - 19/04/2012 - Final act

PURPOSE: to amend Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption.

LEGISLATIVE ACT: Directive 2012/12/EU of the European Parliament and of the Council amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption.

CONTENT: the Council approved a compromise text aimed at further **aligning the EU directive on fruit juices and similar products to the international food standards of the Codex Alimentarius**, following a first-reading agreement with the European Parliament. The German delegation voted against.

The Codex Alimentarius Commission was created in 1963 by FAO and WHO to develop food standards, guidelines and related texts such as codes of practice. The main purposes are to protect health of the consumers, to ensure fair trade practices in the food trade and to promote coordination of work undertaken by international governmental and non-governmental organizations.

The main elements of the amended Directive are as follows:

Not adding sugars to fruit juices: the new directive incorporates the current industry practice of not adding sugars to fruit juices. As from the date of application of the new rules (28 October 2013), the addition of sugars to fruit juices will not longer be authorised.

Since the addition of sugars was previously allowed, it was common that food business operators labelled the absence of added sugars in the fruit juices for commercial reasons by means of nutrition claim "with no added sugars". **The use of such a claim will be no longer allowed after the end of the transitional period** (18 months after the date of application of new rules), when all fruit juices present on the market are not allowed to contain added sugars any more.

To enable the industry to inform the consumers properly both during the transitional period and another 18 months after its end, the directive authorises the food business operators to use a statement on the **labels** informing the consumers that from a certain date no fruit juices contain added sugars.

The statement '**from 28 October 2015 no fruit juices contain added sugars**' may appear on the label in the same field of vision as the name of products until 28 October 2016.

Nectars: due to their specific characteristics nectars cannot be produced without added sugar. However, the new directive confirms the rule of the regulation on nutrition and health claims according to which nectars containing sugars or sweeteners may not bear on the label the nutrition claim "with no added sugar".

The directive **adds tomatoes** to the list of fruits used for fruit juice's production. This means that tomato juices will be subject to the same specific rules as other fruit juices, rather than solely to the general EU food law as it is currently the case.

The new rules also confirm the existing law according to which each fruit from which the fruit juice is made from must be indicated in the product name. However, **if the juice is produced from three and more fruits** the indication of the fruits may be replaced by the words "several fruits".

The Brix values (designing the soluble dry matter content) for four fruit juices (blackcurrent, guava, mango and passion fruit) are aligned with the levels of the Codex Alimentarius.

Transitional measures: products which are placed on the market or labelled before 28 October 2013 in accordance with Directive 2001/112/EC may continue to be marketed until 28 April 2015.

The new rules will apply to all fruit juices marketed in the EU, **irrespective of their origin**. This ensures an equal treatment between fruit juices produced within the EU and imported from third countries.

ENTRY INTO FORCE: 27.04.2012.

TRANSPOSITION: before 28.10.2013. Member States shall apply those provisions from 28 October 2013.

DELEGATED ACTS: the Commission is empowered to adopt delegated acts in order to maintain the list of firearms, their parts and essential components and ammunition for which an authorisation is required. The power to adopt delegated acts is conferred on the Commission for an indeterminate period of time. A delegated act shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification (which may be extended by two months). If the European Parliament or Council objects, the delegated act shall not enter into force.