



EUROPEAN COMMISSION

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*Mrs. Maria da Assunção Esteves  
Presidente da Assembleia  
da República  
Palácio de S. Bento  
P – 1249-068 LISBOA*

*Dear President,*

*The Commission thanks the Assembleia da República for its opinion on the Proposal for a Regulation of the European Parliament and of the Council on food intended for infants and young children and on food for special medical purposes (COM(2011) 353 final)<sup>1</sup>.*

*The Commission would like to take this opportunity to clarify the point the Assembleia da República raised concerning the revision of EU rules only two years after the entry into force of Directive 2009/39/EC<sup>2</sup>. It should be noted that, in reality, Directive 2009/39/EC is a recast version of Directive 89/398/EEC, which was only aimed at including the new rules on the Comitology procedure into the existing legislation. No major changes on the content of that Directive have been made since 1989 and therefore, as the food market and the food legislation evolved significantly these last decades, a global revision is now needed.*

*I look forward to continuing our dialogue on these important issues.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*

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<sup>1</sup> [http://ec.europa.eu/food/food/labellingnutrition/nutritional/docs/sanco\\_11224\\_2011\\_rev5\\_pt.pdf](http://ec.europa.eu/food/food/labellingnutrition/nutritional/docs/sanco_11224_2011_rev5_pt.pdf)

<sup>2</sup> OJ L 124, 20.05.2009, p.21