
The Chairman explained that the Commission’s choice of a six-month transitional period aimed at striking a balance between the diverging needs of legal certainty and of industry’s adjustment to the new labelling system.

A favourable opinion was unanimously adopted. However, in order to reflect the concerns voiced in the debate, it was agreed that the following declaration be entered in the minutes:

“Several Member States regret that the Commission has not proposed a lengthier transitional period (for example, of twelve months) and stress the importance of foreseeing adequate deadlines for the implementation of new legislation. The Commission representative stated that the Commission services will take into account the difficulties that might arise within the scope of the Directive’s implementation.”

2. **Opinion on a draft Commission Directive establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone for the treatment of natural mineral waters and spring waters.**

The draft Commission Directive relating to the natural mineral waters was formally received by the Committee with some amendments. However, because the prescribed delay for submitting documents to the Standing Committee’s opinion had not been complied with, a vote would only be cast at the next Committee’s session in December 2002.

In addition to the amendments of the text, the Committee agreed the following declaration in order to stress the urgent need for a scientific assessment, by the European Food Safety Authority, of a treatment reducing the fluoride content of natural mineral waters.

“The Committee takes note of the Commission’s commitment to request, as soon as possible, the European Food Safety Authority to issue an opinion on the fluoride removal treatment of natural mineral waters.
3. **Exchange of views at the request of the French authorities on foods intended for infants and young children referring to organic production**

The Committee considered the interpretation of the legislation on labelling referring to organic production methods for foods intended for infants and young children, on the request of France. The Commission stated that with regard to vitamins and minerals the current EU legislation (Regulation 2092/91, Annex VI, Section A.5) states that the labelling may only bear indications to organic production methods where "minerals (trace elements included), vitamins, amino acids and other nitrogen compounds, only authorized as far their use is legally required in the foodstuffs in which they are incorporated". The Committee confirmed the interpretation of these provisions is that, with regard to vitamins and minerals, only foods intended for infants and young children to which vitamins and/or minerals have been added in respect of minimum quantities laid down in Directives 91/321/EEC and 96/5/EEC may bear indications referring to organic production methods. The Committee confirmed this interpretation.

4. **Exchange of views at the request of the UK authorities on the status of naturally occurring sources of vitamins and minerals when the EU directive on Food supplements comes into force.**

The Committee, considered whether ingredients containing vitamins and minerals naturally could be used in food supplements without them having to be listed in Annex 2 of Directive 2002/46/EC on food supplements. The Committee agreed that ingredients that naturally contain a nutrient can be included in food supplements. They would have to be declared in the list of ingredients as such. In addition, their natural content of a nutrient would contribute to the total quantity of that nutrient with respect to any restriction on nutrient levels and to declared amounts in nutrition labelling. Therefore any maximum levels set for food supplements would apply to the total amount of the nutrient present in the product resulting from all its ingredients. Similarly, the declared amount of a nutrient in nutrition labelling should be the total amount of the nutrient in the product.

5. **Opinion on a draft Commission Decision amending Commission Decision 94/652/EC establishing the inventory and distribution of tasks to be undertaken within the framework of co-operation by Member States in the scientific examination of questions relating to food.**

The Member States gave an unanimous favourable opinion on the proposal, to which the following corrections will be added:

- extension of the deadline of task 3.2.10, on fusarium toxins, from 31 December 2002 to 28 February 2003;

- in the German version: modify the second recital as follows: replace "Entscheidung 2000/773/EG" by "Entscheidung 2001/773/EG".

6. **Enlargement: State of play of negotiations and monitoring activities**

The Committee welcomed the information provided by the Commission representative and asked for this item to be included at every meeting of the Section.

Exchange of views concerning the labelling and definition of chocolate with sweeteners.

Some delegations supported that it is possible to use sweeteners for making chocolate products but it has to be labelled accordingly as ‘chocolate with sweeteners’.

One delegation stated that during the discussions for the preparation of the Council Directive 2000/36, the use of sweeteners was taken out of the text of the Directive because this matter was covered by the sweeteners horizontal legislation.

The Commission stated that it is currently considering an interpretation note on the above matters.


Exchange of views concerning the use of combined names for chocolate such as "pure chocolate", "extra chocolate" or "traditional chocolate" for chocolate that contains no vegetable fat or a reduced quantity of it.

UK stated that qualifier words can be used as long as they do not mislead the consumers and they meet the criteria for the use of these words in accordance with article 3(5) of Council Directive 2000/36.

Portugal supported that it is possible to use these words and that it would help to define words like traditional.

France stated that these words (pure, extra, traditional) can be used in case that chocolate does not contain vegetable fat.

Ireland opposed to the use of composite names for chocolate.

Sweden stated that there is the danger of misleading the consumers as the same word such as ‘pure’ or ‘traditional’ might have different meaning in different MS.

Spain has agreed with Sweden. The use of these words should follow certain minimum requirements.

NL stated that the use of these words should be examined by each MS separately and the harmonisation of these terms is not desirable.

Finland supported that the use of these terms should be clarified not only for chocolate but for other products as well.

Belgium stated that the use of qualifier words have different interpretations given in different MS.

Italy disagreed with the vues of NL as this is not possible in accordance to article 4 of Council Directive 2000/36.

The Commission stated that it is currently considering an interpretation note on the above matter.