

DIRECTIVES

COMMISSION DIRECTIVE 2007/68/EC

of 27 November 2007

amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽¹⁾, and in particular third subparagraph of Article 6(11) and Article 21 thereof,

Whereas:

(1) Annex IIIa to Directive 2000/13/EC establishes a list of food ingredients which must be indicated on the label of foodstuffs as they are likely to cause adverse reactions in susceptible individuals.

(2) Directive 2000/13/EC provides for the possibility of excluding from the labelling requirement ingredients or substances derived from those ingredients listed in Annex IIIa for which it has been scientifically established that they are not likely, under specific circumstances, to trigger adverse reactions.

(3) Commission Directive 2005/26/EC⁽²⁾ establishes the list of food ingredients or substances provisionally excluded from the labelling requirement until the 25 November 2007.

(4) A number of applications for permanent exemption from the labelling requirement have been submitted to the

European Food Safety Authority (EFSA). Those applications concern substances for which provisional exemptions were granted by Directive 2005/26/EC. On the basis of the EFSA opinions and other available information, it can be concluded that certain ingredients or substances derived from those ingredients listed in Annex IIIa to Directive 2000/13/EC are not likely, under specific circumstances, to cause adverse reactions in susceptible individuals.

(5) Those ingredients or substances derived from those ingredients should therefore be permanently excluded from Annex IIIa to Directive 2000/13/EC.

(6) Annex IIIa of Directive 2000/13/EC should be amended accordingly.

(7) Directive 2005/26/EC should be repealed on 26 November 2007 in view of the deadline set by Article 6(11), second subparagraph of Directive 2000/13/EC.

(8) In order to avoid disruption of the market, it is necessary for this Directive to apply from the 26 November 2007.

(9) It was expected that this Directive could be adopted and published well in advance of the date of 26 November 2007 in order to give time to the industry to adapt to the new rules. Since this has not been possible in practice, temporary measures appear therefore necessary to facilitate the application of the new rules. Indeed changes in labelling rules will affect industry, mainly small and medium enterprises, which need an adaptation period to smooth the transition towards new labelling requirements.

(10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 109, 6.5.2000, p. 29. Directive as last amended by Commission Directive 2006/142/EC (OJ L 368, 23.12.2006, p. 110).

⁽²⁾ OJ L 75, 22.3.2005, p. 33. Directive as amended by Directive 2005/63/EC (OJ L 258, 4.10.2005, p. 3).