

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 14 December 1990

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

Council Directive 79/693/EEC of 24 July 1979 on the
approximation of the laws of the Member States relating to fruit
jams, jellies and marmalades and chestnut puree.

COMMUNICATION FROM THE COMMISSION
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Subject: Council Directive 79/693/EEC of 24 July 1979 on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut puree, amended by Council Directive 88/593/EEC (OJ L 205, 13.8.79, p. 5 and OJ L 318, 25.11.88, p. 44).

1. The products covered by Directive 79/693/EEC must, under the terms of Article 3(1) have a soluble dry matter content¹ of not less than 60%.

In response to a growing demand for preparations with a reduced energy value manufacturers have, in recent years, developed products with a lower soluble dry matter content by reducing the quantities of added sugar, while respecting the minimum quantities of fruit or fruit juice prescribed by the Directive.

In addition to their organoleptic properties sugars have an important technical function in jams, jellies and marmalades. They give them a suitable gelled consistency and prevent degradation by micro-organisms. If the sugar content is reduced, it is often necessary to use certain additives (gelling/thickening agents, preservatives) to obtain the same result.

¹ This term refers mainly to sugars. It also covers the organic acids contained in the various products.

2. Article 3(2) of Directive 79/693/EEC lays down provisional arrangements for products with a reduced soluble dry matter content:

- The Member States may authorize the use of the terms "jam", "jelly", "marmalade" etc. (subparagraph 1).
- The Council, on a proposal from the Commission, shall decide on rules concerning the Community names applicable to such products before 1 January 1991 (subparagraph 2, as amended by Directive 88/593/EEC).

The reason given for these arrangements in the preamble was that the industrial development of products with a reduced sugar content was not yet complete.

3. On 8 June 1990, the Commission discussed this point with representatives of various socio-economic groups meeting within the Food Advisory Committee (Agriculture, Trade, Workers, Consumers).

At the meeting it emerged that the Commission did not yet have all the information required to enable it to draft a proposal to the Council. In particular, there are still doubts as regards:

- technology, including the use of additives;
- consumer reaction to the products in question.

The Advisory Committee therefore unanimously recommended that a decision should not be taken yet. It was better to await further developments so that action could be taken on the basis of more definite information.

4. The Commission agrees with the Advisory Committee. It does not wish to take action in an area in which there are not sufficient objective parameters to make clear judgments.

Consequently, the Commission hereby informs the Council and the European Parliament that it is not in a position to draw up a proposal which would enable an act to be adopted before 1 January 1991 as provided for by the second subparagraph of Article 3(2) of Directive 79/693/EEC.

The Commission will take the appropriate action as soon as the situation on the market enables it to do so.

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