

# COMMISSION OF THE EUROPEAN COMMUNITIES

C(89) 224 final - SYN 103

Brussels, 28 April 1989

Revised Proposal for a

COUNCIL REGULATION (EEC)

on indications or marks identifying the lot to  
which a foodstuff belongs

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(presented by the Commission in pursuance of  
Article 149(2)(d) of the EEC Treaty)

EXPLANATORY MEMORANDUM

The Commission sent its proposal on the identification of lots on 28 October 1987 (COM(87) 501 final).

On a first reading and on the basis of the report from the Committee on the Environment, Public Health and Consumer Protection (rapporteur, Mrs Weber), the Parliament approved the proposal unanimously without discussion (simplified procedure) on 20 May 1988.

On 21 December 1988 the Council adopted a common position in which it stated that it was in favour of the substitution of the legal form of a directive in place of that of a regulation, which had initially been proposed.

The common position was sent to the Parliament (second reading), which proposed two amendments at its April 1989 session. The first of these, which relates to a return to the legal form of a regulation, is acceptable to the Commission. The second relates to a change which is simply of an editorial nature, which does not require any modification of the text.

REVISED PROPOSAL FOR A COUNCIL REGULATION ON INDICATIONS OR MARKS  
IDENTIFYING THE LOT TO WHICH A FOODSTUFF BELONGS.

(presented by the Commission pursuant to Article 149(2)(d) of the EEC  
Treaty)

The Commission accepts the common position of the Council as expressed in  
Council document No 9924/88 of 9 December 1988, subject to the following  
amendments:

I. The title is replaced as follows: "Council Regulation on indications or  
marks identifying the lot to which a foodstuff belongs".

II. The content of the text is amended as follows:

The word "directive" is to be replaced by "regulation" throughout the text.

III. Article 7 is replaced by the following:

Trade in products complying with the regulation shall be authorized from  
(date of entry into force).

Trade in products not complying with this regulation shall be prohibited  
from (24 months following the date of entry into force). However, products  
put on the market or labelled before this date and which do not comply with  
this regulation may be marketed until stocks are exhausted.

IV. Article 8 is replaced by the following:

This regulation shall enter into force 21 days after it is published.

This regulation shall be binding in its entirety and directly applicable in  
all Member States.

**Annex**

**COMMISSION OPINION ON THE AMENDMENT PRESENTED BY THE EUROPEAN PARLIAMENT  
WHICH HAS NOT BEEN ACCEPTED**

Amendment No 2 relating to Article 2(3):

The amendment relates to the replacing of the words "Member States may refrain from requiring the indication referred to ..." by "Member States may grant exemptions to the required indication referred to ...".

It would not appear necessary to carry out this amendment which is of a strictly editorial nature, since the original text did undergo a linguistic and legal study and is to the full satisfaction of the Commission.



Commission of the European Communities

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