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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	25 July 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2014) 5186 final
Subject:	COMMISSION DELEGATED REGULATION (EU) No .../.. of 25.7.2014 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption to adapt its Annex I to technical progress

Delegations will find attached document C(2014) 5186 final.

Encl.: C(2014) 5186 final



Brussels, 25.7.2014
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COMMISSION DELEGATED REGULATION (EU) No .../..

of 25.7.2014

amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption to adapt its Annex I to technical progress

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Council Directive 2001/112/EC of 20 December 2001 relating to juices and certain similar products intended for human consumption empowers the Commission to adopt delegated acts to amend the Annexes to this Directive, with the exception of Part I of Annex I, and of Annex II, in order to bring the Annexes to this Directive into line with developments in relevant international standards and in order to take into account technical progress.

The purpose of this delegated act is to amend Annex I, Part II, 3 of the Directive by authorising new substances for clarification of juices. The new processing aids consist of plant proteins, extracted from wheat, peas or potatoes, which create an alternative to the currently authorized substance gelatine, derived from animal products. In some Member States, part of the public questioned the use of products derived from animal products for juices. The substances in question are already authorised for the clarification of wine.

Accordingly, the new substances should be integrated into, Part II, 3 of Annex I of the Directive.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In the meeting of the expert group for agricultural markets held on 15 July 2014 an exchange of views on this act took place. The exercise consisted in clarifying the Commission's approach and hearing experts' views.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The act contains a provision supplementing the Annex on Product Names, Definitions of Products and Characteristics by introducing new substances for treatment (clarification) of juices in order to take into account technical progress.

The date of entry into force of this act will allow the industry to use this new product in the shortest period of time possible.

COMMISSION DELEGATED REGULATION (EU) No .../..

of 25.7.2014

amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption to adapt its Annex I to technical progress

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption¹, and in particular Article 7 thereof,

Whereas:

- (1) Council Directive 2001/112/EC empowers the Commission to adopt delegated acts to amend the Annexes to that Directive, with the exception of Part I of Annex I, and of Annex II, in order to bring them into line with developments in relevant international standards and in order to take into account technical progress.
- (2) Annex I to Directive 2001/112/EC relates to product names, definitions of products and characteristics. Point 3 of Part II of that Annex regulates the authorised treatments and substances. Due to the technical developments new substances for clarification of juices are now available. Those substances are plant proteins derived from either wheat, peas or potatoes, which can be an alternative to the currently authorized substance gelatine, derived from animal products.
- (3) In order to take into account this technical progress, point 3 of Part II of Annex I to Directive 2001/112/EC should be amended by incorporating those new substances,

HAS ADOPTED THIS REGULATION:

Article 1

In point 3 of Part II of Annex I to Directive 2001/112/EC, the following indent is added:

‘- Plant proteins from wheat, peas or potatoes for clarification’.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

¹ OJ L 10, 12.1.2002, p. 58.

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

Done at Brussels, 25.7.2014

For the Commission
The President
José Manuel BARROSO