

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Food
5. Title, number of pages and language(s) of the notified document: Draft Commission Delegated Regulation supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding (15 pages + 21 pages of annex, in English)
6. Description of content: This draft Commission Delegated Regulation lays down rules for infant formula and follow-on formula in the EU pursuant to Article 11(1) of Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes and total diet replacement for weight control.
7. Objective and rationale, including the nature of urgent problems where applicable: Rules for infant formula and follow-on formula are currently laid down in the EU by Commission Directive 2006/141/EC, adopted under the framework of Directive 2009/39/EC of the European Parliament and of the Council on foodstuffs intended for particular nutritional uses. Regulation (EU) No 609/2013 revises the framework applicable to foods intended for particular nutritional uses and repeals Directive 2009/39/EC and the legal measures adopted under its framework. It requires the Commission to adopt delegated acts laying down specific compositional and information requirements for the foods under its scope by 20 July 2015, including infant formula and follow-on formula. Regulation (EU) No 609/2013 requires the Commission to take into account the existing rules applicable to infant formula and follow-on formula when adopting the relevant delegated act. For this reason, this draft delegated Regulation transfers the existing rules of Commission Directive 2006/141/EC on infant formulae and follow-on formulae under the new framework of Regulation (EU) No 609/2013 and updates them, where relevant, on the basis of the consultations carried out with the European Food Safety Authority, Member

States' experts, NGOs and other stakeholders.

Protection of Human health or Safety

8. Relevant documents:

- € Codex Standard for infant formula and formulas for special medical purposes intended for infants CODEX STAN 72 – 1981
http://www.codexalimentarius.org/download/standards/288/CXS_072e.pdf
- € Codex Standard for follow-up formula CODEX STAN 156-1987
http://www.codexalimentarius.org/download/standards/293/CXS_156e.pdf
- € Commission Directive 2006/141/EC of 22 December 2006 on infant formulae and follow-on formulae
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02006L0141-20130918&qid=1425993117098&from=EN>
- € Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:181:0035:0056:EN:PDF>
- € European Food Safety Authority (EFSA), Scientific Opinion on the essential composition of infant and follow-on formulae, EFSA Journal 2014;12(7):3760
<http://www.efsa.europa.eu/fr/efsajournal/doc/3760.pdf>

9. Proposed date of adoption: September 2015

Proposed date of entry into force: 20 days from publication in the Official Journal of the EU (The provisions shall apply from 4 years after entry into force)

10. Final date for comments: 60 days from notification

11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:

European Commission
EU-TBT Enquiry Point
Fax: + (32) 2 299 80 43
E-mail: grow-eu-tbt@ec.europa.eu

The text is available on the Website: <http://ec.europa.eu/growth/tools-databases/tbt/>

https://members.wto.org/crnattachments/2015/TBT/EEC/15_2402_00_e.pdf

https://members.wto.org/crnattachments/2015/TBT/EEC/15_2402_01_e.pdf