

Commission Decision of 20 December 2010 listing the products referred to in the second subparagraph of point III(1) of Annex XII to Council Regulation (EC) No 1234/2007 (recast) (notified under document C(2010) 8434) (2010/791/EU)

COMMISSION DECISION

of 20 December 2010

listing the products referred to in the second subparagraph of point III(1) of Annex XII to Council Regulation (EC) No 1234/2007

(recast)

(notified under document C(2010) 8434)

(2010/791/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)⁽¹⁾, and in particular point (b)(i) of Article 121 in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Decision 88/566/EEC of 28 October 1988 listing the products referred to in the second subparagraph of Article 3(1) of Council Regulation (EEC) No 1898/87⁽²⁾ has been substantially amended⁽³⁾. Since further amendments are to be made, it should be recast in the interests of clarity.
- (2) Regulation (EC) No 1234/2007 establishes the principle that the descriptions milk and milk products may not be used for milk products other than those in described point II of Annex XII thereto. As an exception, this principle is not applicable to the description of products the exact nature of which is known because of traditional use and/or when the designations are clearly used to describe a characteristic quality of the product.
- (3) The Member States must notify to the Commission indicative lists of the products which they deem to meet, within their own territories, the criteria for the abovementioned exception. A list should be made of such products on the basis of the indicative lists notified by the Member States. That list should include the names of the relevant products according to their traditional use in the various languages of the Union, in order to render these names usable in all the Member States, provided they comply with the provisions of 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⁽⁴⁾.

Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 20 December 2010 listing the products referred to in the second subparagraph of point III(1) of Annex XII to Council Regulation (EC) No 1234/2007 (recast) (notified under document C(2010) 8434 (2010/791/EU)). (See end of Document for details)

- (4) Additions to this list may be made in accordance with Article 121(b)(i) of Regulation (EC) No 1234/2007.
- (5) Following the accessions to the European Union of 2004 and 2007, some of the new Member States have submitted lists of products which they deem to meet, within their own territories, the criteria for the abovementioned exception. The list in Annex I to this Decision should therefore be completed by including the names of the products from the new Member States, in the relevant languages, which can benefit from the exception.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS DECISION:

Article 1

The products corresponding, on the territory of the Union, to the products referred to in the second subparagraph of point III(1) of Annex XII to Regulation (EC) No 1234/2007 are listed in Annex I to this Decision.

Article 2

Decision 88/566/EEC is repealed.

References to the repealed Decision shall be construed as references to this Decision and shall be read in accordance with the correlation table in Annex III.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 December 2010.

For the Commission

Dacian CIOLOȘ

Member of the Commission

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ANNEX I

**List of the products referred to in the second subparagraph
of point III(1) of Annex XII to Regulation (EC) No 1234/2007**

ES

Leche de almendras

DA

Kakaosmør
Mandelsmør
Jordnøddesmør
Kokosmælk
Flødeboller
»... fromage«

used in the description of a fruit-based dessert not containing milk or other milk products or milk or milk imitation products (for example, citronfromage)

Smørtyve
Ostekiks
Osterejer
Flødetablet
Flødefodbolde
Flødemint
Flødekaramel

DE

Kokosmilch
Liebfrau(en)milch
Fischmilch
Milchner
Butterbirne
Rahmapfel
Butterbohne
Butterkohl
Butterpilz
Milchbrätling
Buttersalat
Erdnussbutter
Kakaobutter
Fleischkäse
Leberkäse
Käselee
Butterhäuptel
Butterschnitzel
Faschiertes Butterschnitzel
Milchmargarine
Margarinestreichkäse

EL

Βούτυρο κακάου

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Φρουτόκρεμα
 Κρέμα αραβοσίτου
 Κρέμα κάστανου
 Νουκρέμα

EN

Coconut milk
 ‘Cream ...’ or ‘Milk ...’

used in the description of a spirituous beverage not containing milk or other milk products or milk or milk product imitations (for example, cream sherry, milk sherry)

Cream soda

Cream filled biscuits (for example, custard cream, bourbon cream, raspberry cream biscuits, strawberry cream, etc.)

Cream filled sweets or chocolates (for example, peppermint cream, raspberry cream, crème egg)

Cream crackers

Salad cream

Creamed coconut and other similar fruit, nut and vegetable products where the term ‘creamed’ describes the characteristic texture of the product

Cream of tartar

Cream or creamed soups (for example, cream of tomato soup, cream of celery, cream of chicken, etc.)

Horseradish cream

Ice-cream

Jelly cream

Table cream

Cocoa butter

Shea butter

Nut butters (for example, peanut butter)

Butter beans

Butter puffs

Fruit cheese (for example, lemon cheese, Damson cheese)

FR

Lait d’amande

Lait de coco

«Crème ...»

used in the description of a soup not containing milk or other milk products or milk or milk product imitations (for example, crème de volailles, crème de légumes, crème de tomates, crème d’asperges, crème de bolets, etc.)

«Crème ...»

used in the description of spirituous beverages not containing milk or other milk products or milk or milk product imitations (for example, crème de cassis, crème de framboise, crème de banane, crème de cacao, crème de menthe, etc.)

«Crème ...»

used in the description of prepared meat products (for example, poultry liver cream, cream pâté, etc.)

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	Crème de maïs
	Crème de riz
	Crème d'avoine
	Crème d'anchois
	Crème d'écrevisses
	Crème de pruneaux, crème de marron (cream of other stone fruits)
	Crème confiseur
	Beurre de cacao
	Beurre de cacahouète
	Fromage de tête
	Haricot beurre
	Beurré Hardy
IT	
	Latte di mandorla
	Burro di cacao
	Latte di cocco
	Fagiolini al burro
HU	
	Vajretek
	Gyümölcsaját (pl. birsalmasajt)
	Disznósajt vagy hússajt vagy fejsajt
	Haltej
	Kakaóvaj
	Kókusztej
	Mogyoróvaj
	Vajbab
	Vajkörte
NL	
	Pindakaas
	Hoofdkaas
	Cacaoboter
	Leverkaas
	Hamkaas
	Tongkaas
	Nierkaas
	Kokosmelk
	„... crème”
	used in the description of soup not containing milk or other milk products or milk or milk product imitations (for example, groentencrème, tomatencrème, aspergecrème, etc.)
	„... crème”
	used in the description of a spirituous beverage not containing milk or other milk products or milk or milk product imitations (for example, cassiscrème, frambozencrème, cacaocrème, bananencrème, etc.)
	Crèmevulling

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	Levercrème
	Boterbonen
PL	
	Ser jabłeczny
PT	
	Leite de coco
	Manteiga de cacau
	Manteiga de amendoim
	Queijo doce de Tomar
	Queijinho de sal
SL	
	Mesni sir
SK	
	Arašidové maslo
	Fazol'a maslová (maslovka)
	Kakaové maslo
	Kokosové mlieko
	Masliak
	Maslová hruška (maslovka)
	Pečeňový syr
	Vtáčie mlieko
FI	
	Kaakaovoi
	Maapähkinävoi
	Voileipäkeksi
	Voitatti
	Voileipäkakku
SV	
	Jordnötssmör
	Kakaosmör
	Smörsopp
	Kokosmjölk
	Ostkex
	Margarinost
	Smördeg

ANNEX II

REPEALED DECISION WITH ITS AMENDMENT

Commission Decision 88/566/EEC	(OJ L 310, 16.11.1988, p. 32).
Commission Decision 98/144/EC	(OJ L 42, 14.2.1998, p. 61).

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ANNEX III

CORRELATION TABLE

Decision 88/566/EEC	This Decision
Article 1	Article 1
—	Article 2
Article 2	Article 3
Annex	Annex I
—	Annex II
—	Annex III

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- (1) OJ L 299, 16.11.2007, p. 1.
- (2) OJ L 310, 16.11.1988, p. 32.
- (3) See Annex II.
- (4) OJ L 109, 6.5.2000, p. 29.

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