

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approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs (repealed)

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approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs (repealed)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal of the Commission,

Having regard to the opinion of the Economic and Social Committee<sup>(1)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>(2)</sup>,

Whereas:

- (1) Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs<sup>(3)</sup> has been frequently and substantially amended<sup>(4)</sup>. Therefore, for reasons of clarity and rationality, the said Directive should be consolidated in a single text.
- (2) Differences between the laws, regulations and administrative provisions of the Member States on the labelling of foodstuffs may impede the free circulation of these products and can lead to unequal conditions of competition.
- (3) Therefore, approximation of these laws would contribute to the smooth functioning of the internal market.
- (4) The purpose of this Directive should be to enact Community rules of a general nature applicable horizontally to all foodstuffs put on the market.
- (5) Rules of a specific nature which apply vertically only to particular foodstuffs should be laid down in provisions dealing with those products.
- (6) The prime consideration for any rules on the labelling of foodstuffs should be the need to inform and protect the consumer.
- (7) That need means that Member States may, in compliance with the rules of the Treaty, impose language requirements.
- (8) Detailed labelling, in particular giving the exact nature and characteristics of the product which enables the consumer to make his choice in full knowledge of the facts, is the most appropriate since it creates fewest obstacles to free trade.

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- (9) Therefore, a list should be drawn up of all information which should in principle be included in the labelling of all foodstuffs.
- (10) However, the horizontal nature of this Directive does not allow, at the initial stage, the inclusion in the compulsory indications of all the indications which must be added to the list applying in principle to the whole range of foodstuffs. During a later stage, Community provisions should be adopted, aimed at supplementing the existing rules.
- (11) Furthermore, in the absence of Community rules of a specific nature Member States should retain the right to lay down certain national provisions which may be added to the general provisions of this Directive, nevertheless these provisions should be subject to a Community procedure.
- (12) The said Community procedure must be that of a Community decision when a Member State wishes to enact new legislation.
- (13) Provision should also be made for the Community legislator to derogate, in exceptional cases, from certain obligations that have been fixed generally.
- (14) The rules on labelling should also prohibit the use of information that would mislead the purchaser or attribute medicinal properties to foodstuffs. To be effective, this prohibition should also apply to the presentation and advertising of foodstuffs.
- (15) With a view to facilitating trade between Member States, it may be provided that, at stages prior to sale to the ultimate consumer, only information on the essential elements should appear on the outer packaging and certain mandatory particulars that must appear on a prepackaged foodstuff need appear only on commercial documents referring thereto.
- (16) Member States should retain the right, depending on local practical conditions and circumstances, to lay down rules in respect of the labelling of foodstuffs sold in bulk; in such cases, information should nevertheless be provided for the consumer.
- (17) With the aim of simplifying and accelerating the procedure, the Commission should be entrusted with the task of adopting implementing measures of a technical nature.
- (18) The measures necessary for the implementing of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>(5)</sup>.
- (19) This Directive should be without prejudice to the obligations of the Member States concerning the time limits for transposition of the Directives set out in Annex IV, Part B,

HAVE ADOPTED THIS DIRECTIVE:

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- (1) [OJ C 258, 10.9.1999, p. 12.](#)
- (2) Opinion of the European Parliament of 18 January 2000 (not yet published in the Official Journal) and Council Decision of 13 March 2000.
- (3) [OJ L 33, 8.2.1979, p. 1.](#) Directive as last amended by Directive 97/4/EC of the European Parliament and of the Council ([OJ L 43, 14.2.1997, p. 21](#)).
- (4) See Annex IV, Part B.
- (5) [OJ L 184, 17.7.1999, p. 23.](#)