

Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption

COUNCIL DIRECTIVE 2001/113/EC

of 20 December 2001

relating to fruit jams, jellies and marmalades and
sweetened chestnut purée intended for human consumption

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas:

- (1) Certain vertical Directives relating to foodstuffs should be simplified in order to take account only of the essential requirements to be met by the products they cover so that those products may move freely within the internal market, in accordance with the conclusions of the European Council meeting in Edinburgh on 11 and 12 December 1992, as confirmed by those of the European Council meeting in Brussels on 10 and 11 December 1993.
- (2) Council Directive 79/693/EEC of 24 July 1979 on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut purée⁽⁴⁾ was justified by the fact that differences between national laws relating to the products concerned could result in conditions of unfair competition likely to mislead consumers, and thereby have a direct effect on the establishment and functioning of the common market.
- (3) Directive 79/693/EEC was consequently designed to lay down definitions and common rules governing composition, manufacturing specifications and labelling of the products concerned, so as to ensure their free movement within the Community.
- (4) Directive 79/693/EEC should be brought into line with general Community legislation on foodstuffs, and in particular legislation on labelling, colouring agents, sweeteners and other authorised additives and, for the sake of clarity, should be recast in order to make the rules on the conditions for the production and marketing of fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption more accessible.
- (5) The general food-labelling rules laid down in Directive 2000/13/EC of the European Parliament and of the Council⁽⁵⁾ should apply subject to certain conditions.

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- (6) In order to take account of existing national traditions in the making of fruit jams, jellies and marmalades and sweetened chestnut purée, it is necessary to maintain existing national regulations authorising the marketing of such products with a reduced sugar content.
- (7) In accordance with the principles of subsidiarity and proportionality established by Article 5 of the Treaty, the objective of laying down common definitions and rules for the products concerned and bringing the provisions into line with general Community legislation on foodstuffs cannot be sufficiently achieved by the Member States and can therefore, by reason of the nature of this Directive, be better achieved by the Community. This Directive does not go beyond what is necessary in order to achieve the said objective.
- (8) The measures necessary for the implementation 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⁽⁶⁾.
- (9) To avoid creating new barriers to free movement, Member States should refrain from adopting, for the products in question, national provisions not provided for by this Directive,

HAS ADOPTED THIS DIRECTIVE:

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- (1) [OJ C 231, 9.8.1996, p. 27.](#)
- (2) [OJ C 279, 1.10.1999, p. 95.](#)
- (3) [OJ C 56, 24.2.1997, p. 20.](#)
- (4) [OJ L 205, 13.8.1979, p. 5.](#) Directive as last amended by Directive 88/593/EEC ([OJ L 318, 25.11.1988, p. 44.](#)).
- (5) [OJ L 109, 6.5.2000, p. 29.](#)
- (6) [OJ L 184, 17.7.1999, p. 23.](#)