

Commission Regulation (EC) No 1345/2008 of 23 December 2008 amending Council Regulation (EEC) No 2136/89 laying down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) Regulation (EC) No 104/2000 provides for the possibility of adopting common marketing standards for fishery products in the Community, particularly in order to facilitate commerce based on fair competition. These standards may, in particular, cover labelling.
- (2) Council Regulation (EEC) No 2136/89⁽²⁾ lays down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products in the Community.
- (3) The widening variety of supply of preserved products marketed and presented in the same way as preserved sardines in the Community makes it necessary to provide consumers with sufficient information on the identity and the main characteristics of the product. It is therefore necessary to amend the current rules on trade descriptions for preserved products marketed and presented in the same way as preserved sardines in the Community.
- (4) The Codex Alimentarius standard Codex STAN94 as revised in 2007 as well as the particular conditions prevailing on the Community market should be taken into account for that purpose.
- (5) In the interest of market transparency, fair competition and variety of choice, it is necessary to add the species *Strangomera bentincki* to the authorised species for the preparation of preserved sardine-type products.
- (6) In order to improve the identification of each sardine-type product, the scientific name of the species and the geographic area where the species was caught should be used as qualifier terms.

- (7) The requirements laid down in this Regulation should be applied without prejudice to 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⁽³⁾.
- (8) Regulation (EEC) No 2136/89 should therefore be amended accordingly.
- (9) In order to enable operators to adapt to the new requirements, a transitional period should be provided for as regards placing on the market of products complying with the current version of Regulation (EEC) No 2136/89.
- (10) The Management Committee for Fishery Products has not delivered an opinion within the time limit laid down by its Chairman,

HAS ADOPTED THIS REGULATION:

- (1) OJ L 17, 21.1.2000, p. 22.
- (2) OJ L 212, 22.7.1989, p. 79.
- (3) OJ L 109, 6.5.2000, p. 29.