
Changes to legislation: Regulation (EC) No 596/2009 of the European Parliament and of the Council, Division 5.6. is up to date with all changes known to be in force on or before 26 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

ANNEX

5. HEALTH AND CONSUMER PROTECTION

5.6. **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⁽¹⁾**

As regards Directive 2000/13/EC, the Commission should be empowered in particular to adopt certain measures necessary for its implementation. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2000/13/EC, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

When, on imperative grounds of urgency, the normal time-limits for the regulatory procedure with scrutiny cannot be complied with, the Commission should be able to have recourse to the urgency procedure provided for in Article 5a(6) of Decision 1999/468/EC for the amendment of the lists of certain categories of ingredients.

Accordingly, Directive 2000/13/EC is hereby amended as follows:

1. Article 4(3) shall be replaced by the following:
3. The Community provisions referred to in paragraphs 1 and 2 shall be adopted by the Commission. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
2. Article 6 shall be amended as follows:
 - (a) point (d) of the second subparagraph of paragraph 3a shall be replaced by the following:
 - (d) as regards other products, being measures designed to amend non-essential elements of this Directive, in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
 - (b) the second subparagraph of paragraph 6 shall be amended as follows:
 - (i) the first indent shall be replaced by the following:
 - ingredients which belong to one of the categories listed in Annex I and are constituents of another foodstuff need only be designated by the name of that category.

Alterations to the list of categories in Annex I may be effected by the Commission. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).

However, the designation “starch” listed in Annex I must always be complemented by the indication of its specific vegetable origin, when that ingredient may contain gluten,;

 - (ii) the second indent shall be replaced by the following:

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- ingredients belonging to one of the categories listed in Annex II must be designated by the name of that category, followed by their specific name or EC number; if an ingredient belongs to more than one of the categories, the category appropriate to the principal function in the case of the foodstuff in question shall be indicated.

Amendments to Annex II based on advances in scientific and technical knowledge, being measures designed to amend non-essential elements of this Directive, shall be adopted by the Commission in accordance with the regulatory procedure with scrutiny referred to in Article 20(3). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 20(4).

However, the designation “modified starch” listed in Annex II must always be complemented by the indication of its specific vegetable origin, when that ingredient may contain gluten,;

- (c) the third subparagraph of paragraph 7 shall be replaced by the following:

The Community provisions referred to in this paragraph shall be adopted by the Commission. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;

- (d) the third subparagraph of paragraph 11 shall be replaced by the following:

Without prejudice to the second subparagraph, Annex IIIa may be amended by the Commission, after an opinion has been obtained from the European Food Safety Authority issued on the basis of Article 29 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽²⁾. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 20(4).;

3. Article 7 shall be amended as follows:

- (a) paragraph 2(d) shall be replaced by the following:
 - (d) in the cases determined by the Commission; determination of such cases, being a measure designed to amend non-essential elements of this Directive by supplementing it, shall be carried out in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
- (b) paragraph 3(d) shall be replaced by the following:

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- (d) in the cases determined by the Commission; determination of such cases, being a measure designed to amend non-essential elements of this Directive by supplementing it, shall be carried out in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
- (c) the third sentence of paragraph 4 shall be replaced by the following:
- ‘Such provisions shall be adopted by the Commission. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).’;
4. Article 8 shall be amended as follows:
- (a) the third subparagraph of paragraph 4 shall be replaced by the following:
- This list may be supplemented by the Commission. That measure, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
- (b) paragraph 6 shall be replaced by the following:
6. The Community provisions referred to in paragraphs 1, second subparagraph, 2(b) and (d) and 5, second subparagraph, shall be adopted by the Commission. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
5. in Article 11(2), the third subparagraph shall be replaced by the following:
- The Community provisions referred to in this paragraph shall be adopted by the Commission. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
6. in Article 12, the second paragraph shall be replaced by the following:
- In the case of other beverages containing more than 1,2 % by volume of alcohol, these rules shall be laid down by the Commission.
- Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;
7. Article 16(1) shall be replaced by the following:
1. Member States shall ensure that the sale is prohibited within their own territories of foodstuffs for which the particulars provided for in Article 3 and Article 4(2) do not appear in a language easily understood by the consumer, unless the consumer is in fact informed by means of other measures, determined as regards one or more labelling particulars. Determination of such measures, being a measure designed to amend non-essential elements of this Directive by supplementing it, shall be carried out in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).;

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8. Article 20 shall be amended as follows:

(a) paragraph 3 shall be replaced by the following:

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

(b) the following paragraph shall be added:

4. Where reference is made to this paragraph, Article 5a(1), (2), (4) and (6) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

9. Article 21 shall be replaced by the following:

Article 21

The Commission shall adopt temporary measures, if these prove necessary in order to facilitate the application of this Directive.

Temporary measures of general scope designed to amend non-essential elements of this Directive, including those supplementing it with new non-essential elements, in particular further specifications of the requirements laid down in the provisions of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(3).

Other temporary measures may be adopted in accordance with the regulatory procedure referred to in Article 20(2)..

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- (1) [OJ L 109, 6.5.2000, p. 29.](#)
- (2) [OJ L 31, 1.2.2002, p. 1.](#)';

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Changes and effects yet to be applied to :

- Regulation partial repeal by [EUDN 2013/1082](#) Decision
- Regulation partial repeal by [EUDR 2014/24](#) Directive
- Regulation partial repeal by [EUDR 2014/25](#) Directive
- Regulation partial repeal by [EUDR 2014/40](#) Directive
- Regulation partial repeal by [EUDR 2014/53](#) Directive
- Regulation partial repeal by [EUDR 2014/90](#) Directive
- Regulation partial repeal by [EUR 2011/1169](#) Regulation
- Regulation partial repeal by [EUR 2014/376](#) Regulation
- Regulation partial repeal by [EUR 2014/536](#) Regulation