
Changes to legislation: Regulation (EC) No 596/2009 of the European Parliament and of the Council, Division 5.1. is up to date with all changes known to be in force on or before 28 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

5.1. **Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food⁽¹⁾**

As regards Regulation (EEC) No 315/93, the Commission should be empowered in particular to establish maximum tolerances for specific contaminants. Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EEC) No 315/93 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.

Any delay in the establishment of maximum tolerances for specific contaminants could represent a threat to human or animal health. 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 adoption of those tolerances.

Accordingly Regulation (EEC) No 315/93 is hereby amended as follows:

1. the first subparagraph of Article 2(3) shall be replaced by the following:

In order to protect public health and pursuant to paragraph 1, the Commission may where necessary establish the maximum tolerances for specific contaminants. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 8(3). On imperative grounds of urgency, the Commission may have recourse to the urgency procedure referred to in Article 8(4).;
2. Article 4(2) shall be replaced by the following:
2. The Commission shall examine the reasons given by the Member State referred to in paragraph 1 as soon as possible in the Standing Committee for Foodstuffs, set up by Council Decision 69/414/EEC⁽²⁾, and shall deliver its opinion immediately and take any necessary measures aimed at confirming, amending or repealing the national measure, in accordance with the regulatory procedure laid down in Article 8(2).;
3. in the fourth subparagraph of Article 5(3), the words ‘Article 8’ shall be replaced by the words ‘Article 8(2)’;
4. Article 8 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 Council Decision 1999/468/EC⁽³⁾ 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..

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- (1) [OJ L 37, 13.2.1993, p. 1.](#)
- (2) [OJ L 291, 19.11.1969, p. 9.](#)’;
- (3) [OJ L 184, 17.7.1999, p. 23.](#)’;

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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