

EUROPEAN PARLIAMENT

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A6-0110/2005

26.4.2005

*****I**

REPORT

on the proposal for a directive of the European Parliament and of the Council
on foodstuffs intended for particular nutritional uses (codified version)
(COM(2004)0290 – C6-0035/2004 – 2004/0090(COD))

Committee on Legal Affairs

Rapporteur: Giuseppe Gargani

(Simplified procedure - Rule 43(1) of Rules of Procedure)

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
PROCEDURE.....	6

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a directive of the European Parliament and of the Council on foodstuffs intended for particular nutritional uses (codified version)
(COM(2004)0290 – C6-0035/2004 – 2004/0090(COD))**

(Codecision procedure)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004)0290)¹,
 - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0035/2004),
 - having regard to Rules 51, 80 and 43(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A6-0110/2005),
1. Approves the Commission proposal;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

¹ Not yet published in OJ.

PROCEDURE

Title	Proposal for a directive of the European Parliament and of the Council on foodstuffs intended for particular nutritional uses	
References	COM(2004)0290 – C6-0035/2004 – 2004/0090(COD)	
Legal basis	Articles 251(2) and 95 EC	
Basis in Rules of Procedure	Rules 51, 80, 43(1)	
Date of consulting Parliament	22.4.2004	
Committee responsible Date announced in plenary	JURI 15.9.2004	
Committee(s) asked for opinion(s) Date announced in plenary	ENVI 15.9.2004	
Not delivering opinion(s) Date of decision	ENVI 1.9.2004	
Enhanced cooperation Date announced in plenary		
Rapporteur(s) Date appointed	Giuseppe Gargani 21.4.2005	
Previous rapporteur(s)	Antonio López-Istúriz White	
Simplified procedure Date of decision	Rule 43(1) 21.4.2005	
Legal basis disputed Date of JURI opinion		
Financial endowment amended Date of BUDG opinion		
European Economic and Social Committee consulted Date of decision in plenary		
Committee of the Regions consulted Date of decision in plenary		
Discussed in committee	21.4.2005	
Date adopted	21.4.2005	
Result of final vote	for: 11 against: 0 abstentions: 0	
Members present for the final vote	Marek Aleksander Czarnecki, Giuseppe Gargani, Klaus-Heiner Lehne, Antonio López-Istúriz White, Antonio Masip Hidalgo, Aloyzas Sakalas, Nicola Zingaretti, Jaroslav Zvěřina	
Substitutes present for the final vote	Kurt Lechner, Manuel Medina Ortega, József Szájer	
Substitutes under Rule 178(2) present for the final vote		
Date tabled - A6	26.4.2005	A6-0110/2005