

99118036261000

Ausnahme von Artikel 1 Absatz 3 der Verordnung (EG) Nr. 1924/2006 für allgemeine traditionelle Bezeichnungen Entgegennahme

Heruntergeladen am 20.05.2025

<https://fimportal.de/xzufi-services/102889168/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99118036261000
Leistungsbezeichnung I	Ausnahme von Artikel 1 Absatz 3 der Verordnung (EG) Nr. 1924/2006 für allgemeine traditionelle Bezeichnungen Entgegennahme
Leistungsbezeichnung II	Submit an application for the use of a term as a common traditional name as an exception to the application of Article 1(3) of Regulation (EC) No 1924/2006
Typisierung	1

Modul
Sachverhalt
Handlungsgrundlage(n)

- <https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A02006R1924-20141213&qid=1642594166536+>

- <https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A32013R0907&qid=1621424012975>

- https://www.gesetze-im-internet.de/bvla_v/BJNR097200008.html

Teaser

Designations that can be construed as health claims may be used without an approval procedure, provided that an approved health claim is attached. You can apply for an exception to this rule for traditional names.

Volltext

For the labeling and presentation of foods, as well as for the advertising of foods, certain requirements apply in the EU that are intended to contribute in particular to consumer protection.

Regulation (EC) No. 1924/2006 serves to harmonize regulations for nutrition and health claims in the labeling and presentation or advertising of foods.

So-called voluntary claims on foods must be clear, precise and substantiated in EU member states. The aim is to enable consumers to make informed and sensible choices.

Trademarks, brand names or fancy names that may be perceived as nutrition or health claims may be used without the required approval procedures if they are accompanied by a nutrition or health claim that has been approved.

Exception for traditional health claims

An exception in this regard applies to general designations that are traditionally used, for example, "cough drop." These designations may also be used without an attached authorized claim. For this, however, you must submit an application to the competent national authority.

You can submit your application to the Federal Office of Consumer Protection and Food Safety (BVL) in paper form as well as electronically. The BVL forwards the application to the EU Commission and the EU member states. The EU Commission decides on the application.

Note

The authorization of a new health claim as well as the amendment of an existing authorization of a health claim constitutes a separate procedure. You can apply for this authorization electronically via the E-Submission Food Chain (ESFC) platform of the European Commission.

Begriffe im Kontext

Bearbeitungsdauer 1 - 5 Jahr(e)

Fristen Information on the time limit for appealing against the BVL's decision not to forward the application to the EU Commission, pursuant to Section 70 of the German Administrative Court Code (VwGO), can be found in the appeal instructions in the notice of appeal.

Formulare + Objekt Formular

- * Forms available: No
- * Written form required: No
- * Informal application possible: Yes
- * Personal appearance required: No
- * Online service available: No

Kurztext

- * Derogation from Article 1 (3) of Regulation (EC) No. 1924/2006 for general traditional names Receipt
- * Application procedure according to Article 1 (4) of Regulation (EC) No. 1924/2006 - Applications for the use of general designations
- * Companies may apply for an exemption from the rule in Article 1(3) of the Regulation for traditional names
- * z. e.g. "cough drops
- * Application to be submitted to the competent national authority: Federal Office of Consumer Protection and Food Safety (BVL).
- * BVL forwards the application to the EU Commission and the EU Member States
- * EU Commission makes the decision on the application
- * responsible: Federal Office of Consumer Protection and Food Safety

weiterführende Informationen

-

https://www.bvl.bund.de/DE/Arbeitsbereiche/01_Lebensmittel/04_AntragstellerUnternehmen/01_HealthClaims/Im_healthClaims_einzelzulassung_Art1_Abs4_basepage.html

-

https://www.bvl.bund.de/DE/Arbeitsbereiche/01_Lebensmittel/04_AntragstellerUnternehmen/01_HealthClaims/Im_healthClaims_einzelzulassung_Art1_Abs4_basepage.html

tel/04_AntragstellerUnternehmen/01_HealthClaims/lm_heal
thClaims_node.html

Hinweise (Besonderheiten)

Rechtsbehelf

- * Appeal against the BVL's decision not to forward the application.
- * For more information on how to file an appeal, please refer to the appeal instructions in the decision on your application.
- * Action before the administrative court.
- * For more information on how to file a lawsuit, please refer to the appeal instructions in the notice of appeal.

After submitting the application to the EU Commission, legal action against the decision of the EU Commission is available before the European courts.

fachlich durch freigegeben Federal Ministry of Food and Agriculture (BMEL)

fachlich am freigegeben 21.06.2022

Lagen Portalverbund Produkt- und Stoffzulassung (2120200), Verbraucherschutz (2140100)

zuständige Stelle

Ansprechpunkt