



EUROPEAN COMMISSION  
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Single market, implementation and legislation for consumer goods  
Notifications and infringements

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**Subject: ETAD Position on two French Notifications 2004/327/F and 2004/328/F**

Dear Dr. Motschi and Dr. Hofherr,

Further to the answer of Mr Leoz Argüelles to your letter of 14 October 2004 I would like to inform you that, on 3 December 2004, the Commission sent comments to the French authorities concerning the French notifications 2004/327/F and 2004/328/F relating to pigments and colorants.

The comments, based on articles 28 and 30 of the EC Treaty, mainly expressed the Commission's concerns with regard to formal aspects of the authorisation procedure as provided in the notified texts (e.g. relationship between both texts, due time-limit for authorisation decision, practical application of the notified texts especially with regard to products from Member States without an official authorisation procedure). The French authorities were invited to take these concerns into account.

Your comments outlined in your letter of 14 October were taken into consideration in the assessment of the notified texts. However, the Commission's services involved did not come to the conclusion that the draft French legislation would run counter to envisaged Community acts, in particular to the proposal for a Regulation of the European Parliament and of the Council on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC.

Yours sincerely,

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