

**Question for written answer E-007406/2013
to the Commission**
Rule 117
Bendt Bendtsen (PPE)

Subject: Fundamental challenges for food supplements 2

I thank the Member of the Commission for his answer to Written Question E-003934/2013 on the fundamental challenges for food supplements. He states that further information on the exact product is needed in order to carry out a precise assessment.

The matter specifically concerns the herbs *Withania Somnifera* (Ashwaganda) and *Tribulus Terrestris*. These are both listed in the Novel Food Catalogue as being recognised and accepted in the EU. They have been marketed and used to a sufficient extent before May 1997, which is why Denmark should not be able to ban them under the precautionary principle.

A small entrepreneur has imported EU-approved herbs into Denmark, but these have been banned by the Danish Veterinary and Food Administration on the basis of the precautionary principle.

It is fatal for the EU internal market and has serious consequences for businesses and consumers if national authorities suddenly produce special provisions that are contrary to the free movement of goods.

Has Denmark complied with EU legislation in this specific case?

Is it possible for the Danish authorities to impose a ban on the sale of the above herbs?

I am happy engage in a personal dialogue with the Commissioner if additional information is required to assess this case.