

ORAL QUESTION H-0144/04  
for Question Time at the part-session in April 2004  
pursuant to Rule 43 of the Rules of Procedure  
by Brian Crowley  
to the Commission

Subject: French ban on 'clubbers drink'

In its press release of 5 February 2004 the Court of Justice states with regard to its judgment on Case C-24/00 on the marketing of foodstuffs for human consumption enriched with nutrients: 'as regards energy drinks whose caffeine content exceeds a certain limit' (citing a specific product as an example) 'and those to which taurine and glucuronolactone have been added, French scientists have stated in an opinion that caffeine poses real risks to public health if consumed to excess and the Scientific Committee on Human Nutrition gave an adverse opinion on drinks containing those two additives. The Court considers those opinions to be relevant since the Commission did not adduce any evidence sufficient to call into question the French authorities' analysis as regards the dangers which those drinks pose to public health.'

What is the Commission's response to this part of the judgment in the case it brought against France, and does it consider that the EC labelling directive will need to be further amended and, finally, what is the Commission's response to the new US ban on the sale of dietary supplements containing ephedrine alkaloids which the FDA considers present an unreasonable risk of illness or injury?

Tabled: 27.02.2004  
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