

WRITTEN QUESTION P-0664/04  
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to the Commission

Subject:           Legislation on yoghurt

The 15 Member States currently regulate the marketing of yoghurt on the sole basis of a Commission Communication of 1991, designed to interpret the Smanor ruling of the Court of Justice, which referred to a case involving the naming of the product. By virtue of this communication, the Member States are free to ban the use of the term 'yoghurt' on their territory for heat-treated products. The Communication makes three exceptions to the principle of freedom of movement of goods and the mutual recognition of sales terminology: caviar, vinegar and yoghurt. Various countries use the Communication to forbid the use of the term 'yoghurt' for pasteurised yoghurts, a practice which is a clear obstacle to the single market.

Given that the most recent scientific studies have shown that there is no evidence of the supposed benefits of yoghurt with live bacteria, what is the point of continuing this restriction on the free movement of goods, which furthermore infringes consumers' freedom of choice and their right to truthful information?

Does the Commission intend to do something to bring to an end, once and for all, all these obstacles to the completion of the Single Market, in the shape of measures to harmonise legislation on yoghurt?