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

Heruntergeladen am 12.07.2025

<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 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung

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Leistungsgruppierung	
Verrichtungskennung	Entgegennahme (261)
SDG-Informationsbereich	Vorschriften für und Anforderungen an Erzeugnisse
Lagen Portalverbund	Produkt- und Stoffzulassung (2120200), Verbraucherschutz (2140100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	21.06.2022
Fachlich freigegeben durch	Federal Ministry of Food and Agriculture (BMEL)
Handlungsgrundlage	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/bvlla_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

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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.

Erforderliche Unterlagen

The application must include, in accordance with Annex Part B of Regulation (EU) No 907/2013:

- 1. mandatory information
 - 1.1 A summary of the application
 - 1.2. details of the person making the application
 - 1.3. information on the general designation that is the subject of the application
 - 1.4. information on the category of food or beverage to which the general name applies
 - 1.5. pertinent data related to the use of the general name
- 2. additional information to be provided upon request by Member States: Relevant data related to consumer understanding/perception.
- 3. other additional information (optional).
- The application must be submitted to BVL in hard copy as well as electronically.
- If the applicant fails to submit the additional information requested, if any, the application will be deemed invalid.

Voraussetzungen

Your product has a traditional product name that can be perceived as a nutrition or health claim. The category of food or beverage with the generic name has been present on the market in the Member State(s) before 11 October 1993.

Kosten

There are no costs involved.

Verfahrensablauf

You can submit the application for exemption from the authorization procedure for nutrition and health claims by mail as well as by e-mail. Please proceed as follows:

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- Submit your application to the Federal Office of Consumer Protection and Food Safety (BVL) in paper form and electronically. Please send the paper version to the following address: Federal Office of Consumer Protection and Food Safety P.O. Box 11 02 60 10832 Berlin For the electronic version, please use a suitable storage medium or send it to the following e-mail address: poststelle@bvl.bund.de
- The Federal Office of Consumer Protection and Food Safety (BVL) will forward your application to the EU Commission and the EU Member States.
- The BVL and, if applicable, other affected member states will issue a statement to the European Commission.
- The EU Commission initiates the procedure for approval of the general designation.
- The European Commission makes a decision regarding the requested general designation.

Bearbeitungsdauer

1 - 5 Jahr(e)

Frist

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.

weiterführende Informationen

https://www.bvl.bund.de/DE/Arbeitsbereiche/01_Lebensmittel/04_AntragstellerUnternehmen/01_HealthClaims/lm_healthClaims_einzelzulassung_Art1_Abs4_basepage.html
https://www.bvl.bund.de/DE/Arbeitsbereiche/01_Lebensmittel/04_AntragstellerUnternehmen/01_HealthClaims/lm_healthClaims_node.html

Hinweise

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.

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	After submitting the application to the EU Commission, legal action against the decision of the EU Commission is available before the European courts.
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
Ansprechpunkt	
Zuständige Stelle	
Formulare	• Forms available: No • Written form required: No • Informal application possible: Yes • Personal appearance required: No • Online service available: No
Ursprungsportal	Ausnahme von Artikel 1 Absatz 3 der Verordnung (EG) Nr. 1924/2006 für allgemeine traditionelle Bezeichnungen Entgegennahme, Ausnahme von Artikel 1 Absatz 3 der Verordnung (EG) Nr. 1924/2006 für allgemeine traditionelle Bezeichnungen Entgegennahme