

Message 001

Communication from the Commission - TRIS/(2026) 0508

Directive (EU) 2015/1535

Notification: 2026/0081/LU

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahtuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20260508.EN

1. MSG 001 IND 2026 0081 LU EN 18-02-2026 LU NOTIF

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4. 2026/0081/LU - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5. Draft government amendments to government bill no. 8156 on official controls of foodstuffs and on materials and articles intended to come into contact with foodstuffs

6. This Act lays down the rules concerning the performance of official controls and other official activities relating to foodstuffs and to materials and articles intended to come into contact with foodstuffs.

7.

8. This draft amendment seeks to amend the bill on official controls of foodstuffs and of materials and articles intended to come into contact with food, as previously notified to the European Commission in 2023, under the reference number '2023/0160/L'.

The draft amendments are intended to take account of opinion no. 61.359 of the Council of State of 25 June 2024, as well as the opinions of the professional chambers.

It also seeks to harmonise the provisions with other sectoral bills relating to official controls concerning feed, transmissible animal diseases, plant protection products and harmful organisms.

The amendments mainly concern the designation of the competent authority, the regulation of fees relating to official controls, as well as criminal and administrative penalties.

The text clarifies the issue of competent authority and ensures a clearer allocation of responsibilities of the Minister and those of the ALVA.

The articles concerning the fees have been consolidated and the distinction between compulsory and optional feed has been removed.

Finally, the catalogue of infringements giving rise to criminal sanctions has been updated in order to comply with the principle of specification of incriminations and a new article on administrative sanctions has been introduced, in line with the aforementioned sectoral bills on official controls.

9. These draft government amendments are intended to amend bill no. 8156 on official controls of foodstuffs and materials and articles intended to come into contact with food, in order to take account of opinion no. 61.359 of the Council of State and of the opinions of the professional chambers. The main amendments made to bill no. 8156 concern the designation of the competent authority, fees relating to official controls and criminal penalties. For the sake of harmonisation, these amendments are reproduced in other sectoral bills relating to official controls.

In particular, it is proposed to amend the bill in question in order to clarify the issue of the competent authority and to ensure a clear allocation of responsibilities between the Minister and the Luxembourg Veterinary and Food Administration ('ALVA'). It should be noted that, at the same time, the Act of 8 September 2022 establishing and organising ALVA is also being amended to bring it into line with the sectoral bills concerned.

It is also proposed to merge the articles in the chapter relating to fees, following the comments made by the Council of State on this matter. The distinction between 'compulsory fees' and 'optional fees' is thus deleted. In addition, it is envisaged to update the catalogue of infringements subject to criminal penalties, in accordance with the principle of specificity of offences, as requested by the Council of State. Moreover, it is proposed to introduce a new article on administrative penalties, in line with the other sectoral bills relating to official controls.

Lastly, the draft amendments seek to give effect to the drafting observations made by the Council of State.

10. References to the basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

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