Food additives

2006/0145(COD) - 10/07/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Asa **WESTLUND** (PES, SE), and made some amendments to the Commission's proposal. It considered that the environmental impact of food additives must not be overlooked, that they should only be used if they bring benefits to consumers and they must not mislead consumers as to specific qualities, for example, the freshness or naturalness of a product. There should be separate limit values for nanotechnologies, and labels should state whether an additive has been produced from GMOs and whether it contains azo-dyes. All additives already on the market will gradually be re-evaluated. The principal amendments were as follows:

- when updating and amending the Community list of food additives to be established under the Regulation, the regulatory procedure with scrutiny will apply;

- food additives must not have negative effects on the environment;

- a new clause states that foodstuffs which contain additives that do not comply with the Regulation shall not be placed on the market;

- microbial cultures producing food additives are excluded from the scope of the draft regulation;

- new definitions were inserted for 'food reduced in sugars' and "quantum satis";

- food additives must be technologically necessary in terms of benefits to consumers;

- the nature, substance or quality of the food must not be changed in such a way as to mislead the consumer. Misleading the consumer includes, but is not limited to, issues related to freshness and quality of the ingredients used, naturalness of a product and fruit and vegetable content;

- with the exception of proprietary knowledge and information which it is appropriate to keep confidential, the approval of a food additive must refer explicitly and transparently to the consideration given to prescribed criteria laid down in the legislation, and must explain the basis for the final decision;

- there must be no risk of the additive misleading consumers into believing that the food contains ingredients other than those actually present;

- the Community list should be complete in the information relating to the additives in the list with the name of the additive, additive group, and E number;

- if the use of nanotechnology is authorised, separate limit values for that purpose shall be laid down in accordance with the terms of the regulation;

- food additives produced from or by genetically modified organisms or micro-organisms should be clearly labelled as such in order to guarantee the freedom of choice of consumers;

- the labelling of food additives containing azo-dyes shall bear the warning "azo-dyes may provoke allergenic effects";

- foods which do not comply with the requirements of the Regulation but have been produced in accordance with Community law may continue to be marketed for the duration of their shelf-life.

- by way of derogation from the labelling and information requirements in the draft regulation, for bulk deliveries all of the information may appear on the accompanying documents which are to be supplied with or prior to the delivery;

- food additives which were on the market at the date of entry into force of the Regulation, but have not been reviewed and received a positive opinion from the Scientific Committee for Food or the EFSA (the Authority), shall be subject to a new risk assessment carried out by the Authority. These additives will be allowed to remain on the market until the new risk assessment is carried out. The Authority's risk assessment will form part of the review to be carried out by the Commission, assisted by the Committee, of all food additives which were approved prior to the entry into force of the Regulation. This review will be conducted on the basis of the conditions of authorisation laid down in the Regulation, and on the basis of an assessment of intake and risk management. All food additives that are to continue to be authorised in the Community will be transferred to the Community lists in Annexes II and III. Annex III will be completed with the other food additives used in food additives and enzymes and their conditions of use in accordance with the regulation establishing a common authorisation procedure for food additives, food enzymes and food flavourings. (Please refer to COD/2006/0143.) To allow a suitable transition period, the provisions in Annex III, other than the provisions concerning carriers for food additives, will not apply until 01/01/2011. The review will be conducted on the basis of an evaluation programme which will be adopted, after consultation of the Authority, within one year after the date of entry into force of the Regulation, in accordance with the regulatory procedure with scrutiny;

- after the evaluation has been carried out, and after consultation of the Authority, a new evaluation programme will be adopted for authorisations pursuant to the Regulation, and in accordance with the regulatory procedure with scrutiny. Food additives and uses which are no longer current shall be removed from the Annexes when the authorisationis reviewed.