Flavourings and food ingredients with flavouring properties for use in and on foods

2006/0147(COD) - 10/07/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Mojca Drcar **Murko** (ALDE, SI), and made some amendments to the Commission's proposal. Parliament felt that the use of flavourings should be permitted where they do not, on the basis of the scientific evidence available and the precautionary principle, pose a safety concern to the health of the consumer. Their use must have advantages and benefits for the consumer, and there must be a reasonable technological need. The main amendments were as follows:

- the precautionary principle introduced stricter conditions of use;

- a new part recital states that attention should be given to whether or not there could be any negative consequences for vulnerable groups, including the development of taste preferences in children, in the use of flavourings and food ingredients with flavouring properties;

- Parliament added that misleading the consumer includes, but is not limited to, issues related to the nature, freshness, quality of ingredients used, the naturalness of a product or of the production process, or the nutritional quality of the product;

- food flavourings should remain subject to the general labelling obligations as provided for in Directive 2000/13/EC and, where appropriate, in Regulation (EC) No 1829/2003. In addition, specific provisions on labelling of flavourings sold as such to the manufacturer or to the final consumer should be included in this Regulation;

- where necessary, it may be decided in accordance with the regulatory procedure with scrutiny whether or not a given substance or mixture of substances, material or type of food falls within the scope of the Regulation. On several issues, detailed implementing rules are to be adopted in accordance with the regulatory procedure with scrutiny;

- Parliament amended the definitions of "flavouring substance" "flavouring not elsewhere specified ", food ingredient with flavouring properties", "appropriate physical process", and added a definition for "produced by GMOs";

- when there is a justified scientific concern that certain substances, naturally present in flavourings and food ingredients with flavouring properties, in compound foods may pose a safety concern to the health of the consumer, the Commission may, on its own initiative or on the basis of information provided by Member States, and following the opinion of the Authority, set maximum levels for these substances. By way of derogation, the maximum levels shall not apply where a compound food contains no added flavourings and the only food ingredients with flavouring properties which have been added are fresh, dried or frozen herbs and spices;

- Parliament clarified that a flavouring or source material falling within the scope of Regulation (EC) No 1829/2003 and not already included in the Community list in Annex I may be included in that list in accordance with this Regulation only if it is covered by an authorisation in accordance with Regulation (EC) No 1829/2003;

- labelling must contain where appropriate , the indication "produced from GMOs"

- the term "natural" may only be used in combination with a reference to a food, food category or a vegetable or animal flavouring source if at least 95% (and not 90% as proposed by the Commission) of the flavouring component has been obtained from the source material referred to;

-better traceability is ensured by specifying that the seller must be established within the EU;

- a producer or user of a flavouring substance shall inform the Commission immediately of any new scientific or technical information which is known and accessible to him which might affect the assessment of the safety of the flavouring substance. The food industry user of the flavouring containing the flavouring substance and the producer of the flavouring shall in cooperation, at the request of the Commission, inform it of the actual use of the flavouring substance. The information provided in this context shall be treated as confidential data;

- for flavourings produced from a source material falling under the scope of Regulation (EC) No 1829 /2003, the indication "produced from GMOs" shall appear on the label. For flavourings produced by an organism falling under the scope of Regulation (EC) No 1829/2003, no specific labelling shall be required;

- flavourings and food placed lawfully on the market before the date of application of the Regulation may continue to be used until stocks have been exhausted.

Lastly, Parliament made some amendments for the sake of clarity and precision.