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

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The Committee on the Environment, Public Health and Food Safety unanimously adopted a report drafted by Mojca **DRCAR MURKO** (ALDE, SI) recommending some amendments to the Council's common position for adopting a regulation of the European Parliament and of the Council on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulations (EEC) No 1576/89 and (EEC) No 1601/91, Regulation (EC) No 2232/96 and Directive 2000 /13/EC. It reinserted several amendments that had not been taken up by the Council in its common position. The main amendments are as follows:

Herbs and spices: non-compound foods and mixtures such as, but not exclusively, fresh, dried or frozen spices and/or herbs, mixtures of tea and mixtures for infusion as such are outside the scope of the 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 this Regulation.

Benefit for consumer: the committee reinstated amendments stating 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.

Maximum levels: these should only be set 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. In such cases, 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 which will be listed in Part B of Annex III.

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. The committee felt that there is no scientific evidence that an herb displays the same toxicological effect of concern that an isolated component within it. Setting maximum levels for such components may lead to increased use of herb extracts and the Parliament doubts whether this will provide better consumer protection

Avoid dual approval procedures: the committee clarified again 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.

Other amendments include the following:

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

- there should be no restriction to the 5% of the flavouring component derived from other source material as long as other source materials are also natural, and hence the total 100% is obtained from natural sources;

- an amendment is inserted which is intended to adapt the new spirit drinks regulation (EC) No 110/2008. It replaces the Common position text adapting the old regulation (EEC) No 1576/89. The deletion of the category "nature-identical" category must allow the producers of the traditional spirits aquavit and väkevä glögi to only use natural flavouring substances for the sake of their quality image. Regarding the latter, flavouring substances and preparations must be allowed;

- the Community list of flavourings should be adopted by 31 December 2010 (rather than 2008) at the latest;

- with regard to smoke flavourings, a designation in the list of ingredients is not required when the approved smoke product is used on the surface of the food product in the smoking process to obtain a smoke colour, texture and flavour.

Lastly, the committee deleted Annex III Part B (Maximum levels of certain substances, naturally present in flavourings and food ingredients with flavouring properties, in certain compound food as consumed to which flavourings and/or food ingredients with flavouring properties have been added). This amendment provides a blank list unless harmfulness of certain naturally occurring undesirable substances is assessed by the Authority.