

Foodstuffs and food ingredients: extraction solvents used in the production. Recast

2008/0060(COD) - 23/04/2009 - Final act

PURPOSE: to lay down rules for extraction solvents used or intended for use in the production of foodstuffs or food ingredients.

LEGISLATIVE ACT: Directive 2009/32/EC of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast).

CONTENT: following a first reading agreement with the Parliament, the Council adopted this directive which recasts legislation on the approximation of the laws of the member states on extraction solvents used in the production of foodstuffs and food ingredients. Implementing powers conferred on the commission will be exercised in accordance with Council Decision 1999/468/EC as amended by Council Decision 2006/512/EC which introduced the regulatory procedure with scrutiny for the adoption of measures of general scope and designed to amend non-essential elements of a basic instrument adopted in accordance with the codecision procedure. The Commission will adopt certain implementing measures in accordance with the regulatory procedure with scrutiny. This applies particularly to the commission's powers to amend the list of extraction solvents which may be used during the processing of the raw materials, of foodstuffs, of food components or of food ingredients, and the specification of their conditions of use and maximum residue limits. The Commission will also adopt specific purity criteria for extraction solvents and the methods of analysis necessary to verify compliance with the general and specific purity criteria as well as methods of analysis and sampling of extraction solvents in and on foodstuffs in accordance with the regulatory procedure with scrutiny.

On grounds of efficiency, the normal time-limits for the regulatory procedure with scrutiny are curtailed for the adoption of amendments of the list of extraction solvents which may be used during the processing of the raw materials, of foodstuffs, of food components or of food ingredients, and the specification of their conditions of use and maximum residue limits, and for the adoption of specific purity criteria for extraction solvents.

When, on imperative grounds of urgency, in particular where a risk to human health exists, the normal time-limits for the regulatory procedure with scrutiny cannot be complied with, the Commission may apply the urgency procedure provided for in Decision 1999/468/EC for the adoption of amendments of the list of extraction solvents which may be used during the processing of the raw materials, of foodstuffs, of food components or of food ingredients, and the specification of their conditions of use and maximum residue limits, and for the adoption of specific purity criteria for extraction solvents, as well as for the adoption of amendments to this Directive when it is established that the use in foodstuffs of any substance listed in Annex I or the level of one or more of the components referred to in Article 3 contained in such substances might endanger human health although it complies with the conditions laid down in this Directive.

The new elements introduced into this Directive only concern the committee procedures. They therefore do not need to be transposed by Member States.

ENTRY INTO FORCE: 26/06/2009.