

Resolution on the draft Commission directive amending the Annexes to Directive 95/2/EC on food additives other than colours and sweeteners and repealing Decision 2004/374/EC

2010/2679(RSP) - 19/05/2010 - Text adopted by Parliament, single reading

The European Parliament adopted by 370 votes to 262, with 32 abstentions, a resolution tabled by the Committee on the Environment, Public Health and Food Safety on the draft Commission directive amending the Annexes to European Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners and repealing Decision 2004/374/EC.

It recalls that Directives 95/2/EC on food additives other than colours and sweeteners and Council Directive 89/107/EEC on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption have been repealed and replaced by Regulation (EC) No 1333/2008. The Commission subsequently proposed a draft Commission directive amending the Annexes to Directive 95/2/EC.

Parliament considers that the **draft Commission directive is not compatible with the aim and content of Regulation (EC) No 1333/2008. Accordingly, it opposes the adoption of the draft Commission Directive** amending the Annexes to European Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners and repealing Decision 2004/374/EC.

Members recall that Regulation (EC) No 1333/2008 provides that a food additive may be permitted for use in the EU only if it meets certain conditions including that it does not mislead the consumer, and that it has advantages and benefits for consumers. A food additive may only be permitted for use if it does not pose a safety concern to the health of the consumer. Parliament further recalls that Regulation (EC) No 178/2002 ("the General Food Law Regulation") provides that food law shall aim at the protection of the interests of consumers and shall provide a basis for consumers to make informed choices in relation to the foods they consume, and that it shall aim at the prevention of practices which may mislead the consumer.

The draft Commission Directive provides for the inclusion in Annex IV to Directive 95/2/EC of an enzyme preparation based on thrombin with fibrinogen as a food additive for reconstituting food. Thrombin, whilst derived from the edible parts of animals, has the character of a "meat-glue" and its purpose as a food additive is to bind together separate meat pieces in order to produce a single meat product. The purpose of the use of thrombin therefore is to present pieces of meat to consumers as a single meat product, and therefore the risk of misleading the consumer is obvious. Recital 25 of the draft Commission Directive itself recognises that the use of thrombin with fibrinogen as a food additive could mislead the consumer as to the state of the final food. Parliament states that, whilst the draft Commission Directive would not permit the use of thrombin as a food additive in meat products served in restaurants or other public establishments serving food, there is a clear risk that meat containing thrombin would find its way into meat products served in restaurants or other public establishments serving food, given the higher prices that can be obtained for pieces of meat served as a single meat product. It is therefore not clear that the prohibition against the use of thrombin in meat products served in restaurants or other public establishments serving food, would result in the prevention in practice of such meat products being used in restaurants or other public establishments serving food, and sold to consumers as single-meat products. The labelling conditions contained in the draft Commission Directive would fail to guard against the creation of a false and misleading impression to consumers as to the existence of a single-meat product,

and therefore there is a risk that consumers would be misled and prevented from making an informed choice in relation to the consumption of meat products containing thrombin. Parliament states that the advantages and benefits for consumers of thrombin have not been demonstrated. Furthermore, the process of binding together many separate pieces of meat significantly increases the surface area that may be infected by pathogenic bacteria (such as clostridium and salmonella) which, in such a process, can survive and be reproduced without oxygen. The risk of infection by pathogenic bacteria is particularly serious since the binding process can be undertaken by way of cold bonding without the addition of salt and without any subsequent heating process, and as a result the safety of the final product cannot be guaranteed.

The draft Commission Directive therefore fails in these respects to comply with the criteria for the inclusion of food additives in Annex IV to Directive 95/2/EC.