Resolution on the draft Commission regulation amending the Annex to Regulation (EU) No 231 /2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 as regards specifications for titanium dioxide (E 171)

2020/2795(RPS) - 08/10/2020 - Text adopted by Parliament, single reading

The European Parliament adopted by 443 votes to 118, with 35 abstentions, a resolution objecting to the draft Commission regulation amending the Annex to Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards specifications for titanium dioxide (E 171).

Parliament opposed the adoption of the draft Commission Regulation amending the definition and specifications of titanium dioxide (E 171) which continues to allow titanium dioxide (E 171) to be placed and sold on the market as a food additive runs counter to the provisions of Article 6 of Regulation (EC) No 1333/2008 and may have adverse effects on the health of European consumers.

Members considered that continuing to authorise the placing on the market of titanium dioxide (E 171) as a food additive runs counter to the provisions of Article 6 of Regulation (EC) No 1333/2008 and may have adverse effects on the health of European consumers.

Safety risk assessment and risk management decisions

Parliament recalled that the opinion of the European Food Safety Authority (EFSA) of 28 June 2016 on titanium dioxide (E 171) already pointed to a lack of data hindering the full risk assessment of the additive. In 2019, the French Agency for Food, Environmental and Occupational Health Safety (ANSES) identified possible carcinogenic effects of titanium dioxide (E 171) and concluded that scientific uncertainties on the safety of this additive remained.

Following the ANSES opinion and the subsequent EFSA statement, the French government adopted a decree banning the sale of food products containing titanium dioxide (E 171) from 1 January 2020, as a precautionary measure to protect the health of consumers. More than 85 000 citizens from all over Europe have signed a petition in support of the French ban on titanium dioxide (E 171) and called for the application of the precautionary principle.

Members considered that any decision not to ban the marketing of titanium dioxide (E 171) would disadvantage companies that have chosen to apply the precautionary principle and have replaced or removed this additive from their products.

Conditions for the authorisation of additives

Regulation (EC) No 1333/2008 provides that a food additive may only be authorised if its use is safe, technologically justified, and if its use does not mislead, but on the contrary benefits, the consumer. However, Members argued that titanium dioxide (E 171) is only used for aesthetic purposes and has no nutritional value, nor does it fulfil any beneficial technological function in food.

In addition, tests by consumer groups carried out in Spain, Belgium, Italy and Germany have found nanoparticles of titanium dioxide (E 171) in proportions greater than 50 %, without the additive being labelled as ‘nano’(16), including in foodstuffs such as sweets, chewing-gums, and cakes frequently consumed by children and other vulnerable sections of the population.

On the basis of these considerations, Parliament called on the Commission to withdraw its draft regulation, to apply the precautionary principle and to remove titanium dioxide (E 171) from the list of food additives authorised by the Union.