Novel foods and novel food ingredients

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The committee adopted a draft recommendation for second reading with amendments. The Council's common position did not reflect all of Parliament's wishes, particularly from the point of view of labelling. The committee therefore adopted a series of amendments to reflect its concerns, especially as regards the protection of consumers' interests. Mrs Dagmar ROTH-BEHRENDT stated that the consumer's right to clear and unrestricted information should be guaranteed, particularly where genetically modified organisms had been used. The consumer should know that the food did not present any danger. That is why there had been many requests to ensure that foods or food ingredients constituting a potential health risk had first of all undergone a public authorisation procedure before being allowed on the market. The committee was well aware of the desire to prevent needless administrative burdens, however it wished to extend the scope of the regulation to cover more fields than provided for by the Council. The safety of a product did not depend only on the product as such, but also on the production processes involved. Therefore, new authorisation should be obligatory in the case of significant changes in the production process. The reference in the common position (Article 1(2a)) concerning the inclusion of food consisting of genetically modified organisms within the meaning of Directive 90/220/EEC considerably restricted the scope of the regulation since the legal definition of a genetically modified organism in the directive only covered organisms that could reproduce (such as tomatoes) and excluded organisms that could not reproduce (such as ketchup made from tomatoes). However, the general term "genetically modified organisms" as used by the committee applied to both organisms that could reproduce and those that could not. Thus, according to the term used by the committee, genetically modified baker's yeast came under the scope of the regulation, whilst if the wording in the common position was maintained, it would be excluded. According to Mrs ROTH-BEHRENDT's explanatory statement, it was not advisable to apply two different assessment and authorisation procedures, one of which was simplified and the other more complicated. The Council wished the simplified method to be applied to products which, although genetically modified during processing, were in the end substantially equivalent to existing foods. One example of this was sugar, which could be produced by traditional growing methods or through genetic engineering. The committee wished the rapid procedure to be significantly restricted. Given the little experience available in the field of novel foods, it felt that consumer protection was essential. It was important to eliminate where possible any potential dangers by means of a rigorous authorisation procedure involving an adequate assessment of the risks involved and the safety of the product. A simple notification procedure would not be sufficient to meet this requirement. The division of the initial assessment procedure into two sections - general (Article 4) and specific (Article 6) - with referrals from one to the other was uncoordinated from a legal standpoint. In the rapporteur's view, it was therefore essential to combine these two articles into a single, well-structured provision to define the procedure. The committee therefore decided to delete Articles 3(4), 4 and 5 and to include their content in an amended Article 6. The rapporteur referred to the concept of selective labelling advocated by the Council and pointed out that surveys carried out among consumers in various Member States clearly showed that they wanted to receive comprehensive information. Labelling should be as complete as possible. Nevertheless, the committee recognised along with the Commission that attaching a specific label to every product where the manufacturing process had involved genetic engineering at one stage or another, irrespective of the degree to which it was required, would not provide any useful information for the consumer and would be difficult to implement. As a result, its amendments concerning labelling did not cover all the possible applications of genetic engineering in the food sector. Thus, immobilised enzymes or those that were not included in the final product, such as amylases or isomerases used for the saccharification of starch, should no longer appear in the list of ingredients. However, the proposal to limit labelling to certain categories of products, for example, only final products still containing genetically modified organisms that could reproduce, did not comply with the principle of providing information that was as comprehensive as possible.