

# Protection of human health: addition of nutrients to food

2003/0262(COD) - 26/05/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution based on the report drafted by Karin SCHEELE (PES, AT) by 516 votes in favour, 69 against and 6 abstentions. The principal amendments were as follows:

- there is a new definition of 'certain other substances' in the regulation;
- the regulation should contain a definition of the 'recommended daily intake', taking into account the maximum amounts set in Article 7(1) and the recommended daily allowances (RDAs) for nutrients laid down in Directive 90/496/EEC;
- the Commission should establish, no later than the entry into force of the regulation, RDAs for all the vitamins and minerals listed in Annexes I and II, "taking into account the latest scientific knowledge and international recommendations". Upper safe levels and RDAs should also be set for certain other substances;
- on the question of labelling, manufacturers should be obliged to provide information on vitamins and minerals per serving size, as a percentage of the RDA. In addition, information should be expressed per 100g or per 100 ml. Manufacturers should also state a recommended daily intake and put a warning not to exceed the stated RDA;
- the opinion of the European Food Safety Authority must be obtained and consultations held with interested parties (such as food business operators and consumer groups) before setting the implementing rules for the regulation;
- Member States should notify the Commission of the substances or ingredients used in their territory to enrich foodstuffs and the substances other than vitamins or minerals that these may contain. The Commission should publish these reports;
- The addition of vitamins and minerals to foods shall not be used to mislead or deceive the consumer as to the nutritional merit of the food, whether by means of labelling, presentation, advertising or the additive itself;
- until three years from the entry into force of this Regulation), Member States may allow in their territory the use of vitamins and minerals not listed in Annex I, or in forms not listed in Annex II under certain conditions. (The Commission had proposed seven years);
- Member States must inform the Commission about the use of vitamins and minerals allowed in their territory although they are not listed in Annex I, or in forms not listed in Annex II. The Commission will make this information available to the public;
- to clarify, no vitamins and minerals may be added to beverages containing more than 1.2% by volume of alcohol, except to products: referred to in Article 44(6) and (13) of Council Regulation 1493/1999/EC on the common organisation of the market in wine and that were marketed prior to the adoption of the Regulation and which have been notified to the Commission by a Member State within six months from the entry into force of the Regulation, and provided no nutrition or health claim is made;

- Recommended daily allowances and upper safe levels shall be set for certain other substances as listed in Annex III, Parts B and C;
- The addition of a vitamin or a mineral to food for the purpose of fortification shall result in the presence of this vitamin or mineral in the food in at least a significant amount, i.e. 15% of the Nutrient Reference Value (NRV) per 100g (solids) or 7.5% of NRV per 100ml (liquids) or 5% of NRV per 100kcal (12% of NRV 1MJ) or 15% of NRV per serving;
- the provisions governing the procedure for evaluating substances were redrafted;
- If the Commission or a Member State considers that the addition of a substance other than vitamins or minerals or an ingredient containing a substance other than vitamins or minerals may lead to the intake of amounts of that substance exceeding those reasonably expected to be ingested under normal conditions of consumption of a balanced and varied diet, it must notify the Commission without delay.
- Within 18 months of the entry into force of this Regulation, the Member States shall notify the Commission of the substances or ingredients which are used in their territory to enrich foodstuffs and the substances other than vitamins or minerals that these may contain. The Commission shall forward this information to the Authority and shall publish the reports received;
- certain amendments were made to Annexes I and II with regard to fluoride, calcium sulphate potassium phosphate, and sodium phosphate.