Protection of human health: addition of nutrients to food

2003/0262(COD) - 21/03/2006

The committee adopted the report by Karin SCHEELE (PES, AT) amending the Council's common position under the 2nd reading of the codecision procedure. It reinstated, sometimes in slightly modified form, a number of amendments adopted by Parliament at 1st reading which had not been taken up by the Council:

- the regulation should contain a definition of 'certain other substances' (meaning a substance other than a nutrient that has a nutritional or physiological effect) and of 'recommended daily intake';

- to ensure that information for consumers is easy to understand and useful for them, nutrition labelling of products should give information on vitamins and minerals expressed not only per 100g or per 100 ml but also per serving size (amount per serving) in absolute numbers and as a percentage of the Recommended Daily Allowance (RDA). The label should also mention the manufacturer's Recommended Daily Intake of the product (RDI), together with a warning not to exceed the stated RDA;

- it should be stipulated that vitamins and minerals may only be added to foods "in a form that is bio-available to the human body" (i.e. they can be absorbed by the body);

- the Commission must hold consultations with interested parties (such as the food industry and consumer groups) before setting the implementing rules for the regulation.

The committee also sought to reach a compromise with the Council on the question of setting a date for establishing maximum amounts for vitamins or minerals added to foods. Although at 1st reading Parliament had called for such amounts to be established before the regulation's entry into force, the Council did not stipulate any date in its common position. By way of a compromise, MEPs in the committee therefore proposed that the Commission should put forward proposals for the maximum amounts not later than two years after the regulation entered into force.

In another attempt to strike a deal with Council, the committee slightly modified Parliament's 1st reading amendment (rejected by Council) on aligning reference levels with international standards so that different levels apply to solid products and liquid products. It proposed using the term 'RDA' (Recommended Daily Allowance) rather than 'NRV' (Nutrient Reference Value) as Parliament had initially suggested, on the grounds that this was appropriate in order to harmonise this requirement with existing EU legislation on food labelling.

Lastly, MEPs wanted to introduce a degree of flexibility about the cut-off date for selling products which do not comply with the regulation. Whereas the Council had proposed that such products could only be marketed for a maximum of 29 months after the regulation's entry into force, the committee proposed that they be marketed "until all stocks have been sold off", in order to take into account products with a longer shelf life.