Flavourings and food ingredients with flavouring properties for use in and on foods

2006/0147(COD) - 28/07/2006 - Legislative proposal

PURPOSE : to lay down rules on flavourings and food ingredients with flavouring properties for use in and on foods to ensure the effective functioning of the internal market and a high level of human health protection and consumer protection.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

CONTENT : the European Commission has adopted a package of legislative proposals which aim to introduce harmonised EU legislation on food enzymes and upgrade current rules for flavourings and additives (refer to **COD/2006/0144** and **COD/2006/0145**).

The texts aim to clarify and update current legislation in this area and to create a simplified common approval procedure for food additives, flavourings and enzymes, based on scientific opinions from the European Food Safety Authority (EFSA) (refer also **COD/2006/143**).

At present, Council Directive 88/388/EEC sets out the definition of flavourings, general rules for their use, requirements for labelling and maximum levels for substances which raise concern for human health. It provides that Community Legislation relating to flavourings should take account primarily of human health requirements. However, the Directive needs to be substantially amended, to take into account technological and scientific developments in the area of flavourings. In addition, as a result of the adoption of Regulation 178/2002/EC laying down the general principles and requirements of food law, establishing the European Food Safety Authority (EFSA) and laying down procedures in matters of food safety, certain provisions need to be adapted and others need to be newly introduced.

In the interest of clarity and efficiency Directive 88/388/EEC shall be replaced by the present proposal.

This Regulation provides for:

- a Community list of flavourings and source materials approved for use in and on foods, set out in Annex I (‘the Community list’);

- conditions of use of flavourings and food ingredients with flavouring properties in and on foods;

- rules on labelling of flavourings.

Lastly, the new legislation proposed sets out clearer rules on maximum levels for undesirable substances, in line with EFSA opinions. Definitions of flavourings (e.g. flavouring substance, flavouring preparation, thermal process flavouring) are clarified and stricter conditions are also introduced for the use of the term “natural” when describing flavourings. Consumers must be informed if the smoky taste of food is due to the presence of smoke flavourings.

For more details of the financial implications of this proposal, please refer to the financial statement.