Food safety, human health protection: common authorisation procedure for food additives, food enzymes and food flavourings

2006/0143(COD) - 16/12/2008 - Final act

PURPOSE: to establish a common authorisation procedure for food additives, food enzymes and food flavourings in order to ensure the proper functioning of the internal market, while also ensuring a high level of protection of human life and health.

LEGISLATIVE ACT: Regulation (EC) No 1331/2008 of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings

CONTENT: the Council adopted a Regulation establishing a common authorisation procedure for food additives, food enzymes and food flavourings following agreement reached with the Parliament at second reading.

The new legislative act establishes a common authorisation procedure which is intended to be effective, short and transparent, based on an assessment of safety in terms of human health carried out by the European Food Safety Authority (EFSA) and a risk management exercise in which the Commission and the Member States are involved in the context of a regulatory committee procedure with a right of scrutiny by the European Parliament. The Commission must draw up, update and publish a Community list for each category of substance concerned. The inclusion of a substance on one of these lists implies that it is authorised for general use by all operators in the Community market.

The legislation provides that the common procedure will lay down the procedural

arrangements for updating the lists of substances the marketing of which is authorised in the Community pursuant to Regulation (EC) No 1333/2008 on food additives, Regulation (EC) No 1332/2008 on food enzymes and Regulation (EC) No 1334/2008 on flavourings. These are referred to as the sectoral food laws.

Under each sectoral food law, substances that have been authorised to be placed on the Community market shall be included on the Community list.

The deadlines laid down in the procedure take into account the time needed to consider the different criteria set in each sectoral food law, as well as allowing adequate time for consultation when preparing the draft measures. In particular, the nine-month deadline for the Commission to present a draft regulation updating the Community list should not preclude the possibility of this being done within a shorter period.

The common authorisation procedure for the substances must fulfil transparency and public information requirements while guaranteeing the right of applicants to preserve the confidentiality of certain information.

ENTRY INTO FORCE: 20/01/2009.