


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Food additives other than colours and sweeteners: amending Annexes Amending Directive 95/2/EC 1992/0424(COD)	
Subject 3.10.10 Foodstuffs, foodstuffs legislation 4.60.04.04 Food safety	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health, Consumer Policy		22/09/1999
		V/ALE LANNOYE Paul A.A.J.G.	
	Former committee responsible		
	ENVI Environment, Public Health, Consumer Policy		22/09/1999
		V/ALE LANNOYE Paul A.A.J.G.	
	Former committee for opinion		
	ITRE Industry, External Trade, Research, Energy		04/10/1999
		ELDR POHJAMO Samuli	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	2326	19/01/2001
	Budget	2285	20/07/2000
European Commission	Commission DG Health and Food Safety	Commissioner	

Key events			
22/07/1999	Legislative proposal published	COM(1999)0329	Summary
13/09/1999	Committee referral announced in Parliament, 1st reading		
23/03/2000	Vote in committee, 1st reading		Summary
23/03/2000	Committee report tabled for plenary, 1st reading	A5-0072/2000	
10/04/2000	Debate in Parliament		

11/04/2000	Decision by Parliament, 1st reading	T5-0138/2000	Summary
19/07/2000	Modified legislative proposal published	COM(2000)0451	Summary
20/07/2000	Council position published	09662/1/2000	Summary
20/09/2000	Committee referral announced in Parliament, 2nd reading		
21/11/2000	Vote in committee, 2nd reading		Summary
21/11/2000	Committee recommendation tabled for plenary, 2nd reading	A5-0347/2000	
13/12/2000	Debate in Parliament		
14/12/2000	Decision by Parliament, 2nd reading	T5-0570/2000	Summary
19/01/2001	Act approved by Council, 2nd reading		
12/02/2001	Final act signed		
12/02/2001	End of procedure in Parliament		
24/02/2001	Final act published in Official Journal		

Technical information

Procedure reference	1999/0158(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 95/2/EC 1992/0424(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/13321

Documentation gateway

Legislative proposal		COM(1999)0329 OJ C 021 25.01.2000, p. 0042 E	22/07/1999	EC	Summary
Economic and Social Committee: opinion, report		CES1121/1999 OJ C 051 23.02.2000, p. 0027	08/12/1999	ESC	
Committee report tabled for plenary, 1st reading/single reading		A5-0072/2000 OJ C 378 29.12.2000, p. 0004	23/03/2000	EP	
Text adopted by Parliament, 1st reading/single reading		T5-0138/2000 OJ C 040 07.02.2001, p. 0020-0039	11/04/2000	EP	Summary
Modified legislative proposal		COM(2000)0451 OJ C 337 28.11.2000, p. 0238 E	19/07/2000	EC	Summary
Council position		09662/1/2000 OJ C 300 20.10.2000, p. 0045	20/07/2000	CSL	Summary
Commission communication on Council's position		SEC(2000)1521	15/09/2000	EC	Summary
Committee recommendation tabled for plenary,		A5-0347/2000	21/11/2000	EP	

2nd reading		OJ C 228 13.08.2001, p. 0005			
Text adopted by Parliament, 2nd reading		T5-0570/2000 OJ C 232 17.08.2001, p. 0201-0286	14/12/2000	EP	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 2001/5](#)
[OJ L 055 24.02.2001, p. 0059](#) Summary

Food additives other than colours and sweeteners: amending Annexes

PURPOSE: to amend European Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners in the light of recent technical and scientific developments. **CONTENT:** An amendment is proposed for the positive list of food additives as laid down in Directive 95/2/EC. This Directive was developed according to the provisions of the framework Directive 89/107/EEC on food additives, which requested the Commission to make a proposal on all food additives and the food categories in which the approved food additives may be used together with their maximum levels. This proposed amendment allows the use of some new food additives which are currently forbidden but have been recently evaluated by the Scientific Committee on Food and found acceptable for human consumption. Furthermore some new food additives, authorised temporarily by some Member States and evaluated by the Scientific Committee on Food, are included. In addition, the proposal allows food additives already authorised to be used in certain new applications. It is proposed that the additives E467 Ethyl hydroxyethyl cellulose and E949 Hydrogen be added to Annex I (Food additives generally permitted for use in foodstuffs not referred to in Article 2 (3) of Directive 95/2/EC). To Annex II (Foodstuffs in which a limited number of additives of Annex I may be used), it is proposed that E401 Sodium alginate (in regard to peeled and cut ready-to-eat carrots) should be added (quantum satis). To Annex IV (Other permitted additives), the following foodstuffs and maximum levels shall be added to E445 (Glycerol esters of wood rosin) in regard to spirit drinks in accordance with Council Regulation 1576/89/EEC laying down general rules on the definition, description and presentation of spirit drinks (100 mg/l) and spirit drinks containing less than 15% alcohol by volume (100mg/l). To the end of Annex IV it is proposed that E650 (Zinc acetate) in regard to chewing gum (1000mg/kg), and E943a (Butane) in regard to vegetable oil pan spray (for professional use only), E943b (Isobutane) and E944 (Propane) in regard to water-based emulsion sprays (quantum satis) be added. To Annex V (Permitted carriers and carrier solvents) the following E-number would be added : E1520 (Propan-1,2-diol (propylene glycol)) in respect of colours, emulsifiers, antioxidant and enzymes (maximum 1g/kg in the foodstuff).?

Food additives other than colours and sweeteners: amending Annexes

The committee adopted the report (codecision procedure, first reading) by Paul LANNOYE (Greens/EFA, B) modifying the Commission proposal amending an existing EC directive on food additives other than colours and sweeteners. The Commission was proposing to add a number of new additives to the list of those authorised under the directive, a move opposed by the committee. In particular, the committee was concerned about the use of sodium alginate, a firming agent for peeled, sliced, ready-to-eat, packaged carrots, which prevents a carrot's surface from turning white as a result of drying out and also prevents it from going soft. The committee unanimously took the view that treating food with sodium alginate would mislead the consumer as the food might appear fresher than it really was. Sodium alginate also had laxative qualities, which was another good reason not to use it. The Commission was criticised for being too lenient and was asked to apply the precautionary principle more rigorously to the manufacture of foodstuffs. It was imperative, MEPs said, that the criteria of "usefulness to the consumer" and "harmlessness" be taken very seriously. Apart from sodium alginate (E 401) the committee was against the Commission's proposals to add butane (E 943a), isobutane (E 943b) and propane (E 944) to the list. These gases are used as propellants for vegetable oil or water-vegetable oil emulsions, to grease containers for oven-cooking or to apply a mixture of spices or other flavourings to, for example, oven-ready pizzas. The committee wondered whether it was a good idea to authorise use of a propellant gas of fossil origin and with a high risk of explosion. It also expressed doubt about the use of ethyl hydroxyethyl cellulose as a stabiliser in gluten-free bread in Sweden and as a binding agent in batter coating for deep-frozen fish, pastries, cake mixes and confectionery. ?

Food additives other than colours and sweeteners: amending Annexes

In adopting the report by Mr. Paul LANNOYE (Green/EFA, B), the European Parliament approves the proposal for a European Parliament and Council Directive amending Directive 95/2/EC on food additives other than colours and sweeteners. The proposal was, however, subject to amendments which relate to the pressing need to guarantee food safety through the application of the precautionary principle. A new recital states that additives whose harmlessness is in any doubt must not be authorised. In addition, the specific benefit to the consumer must be clearly stated at each approval of new additives during any amendment of Directive 95/2/EC. Furthermore, the addition of a new additive 'E 949 Hydrogen' is inserted in the table in Annex I. A row is also added to Annex II which relates to peeled and cut ready-to-eat carrots (E 401 Sodium alginate), and to Annex IV relating to chewing gum (E 650 Zinc acetate).?

Food additives other than colours and sweeteners: amending Annexes

In the light of the European Parliament's amendments at first reading, the Commission has adopted an amended proposal. Parliament objected to the approval of food additive E-467 Ethyl hydroxyethyl cellulose on the basis of the impurities it might contain. The Commission has re-consulted the Scientific Committee on Food and considers it inappropriate to proceed with the approval before its re-consultation of the Scientific Committee on Food has finished. Therefore, the Commission proposes that the use of ethyl hydroxyethyl cellulose should not be approved for the time being.?

Food additives other than colours and sweeteners: amending Annexes

In general, the Council endorsed the Commission's approach with respect to the European Parliament's amendments by accepting the amendment which relates in particular to consulting once again the Scientific Committee on Food on the additive E467 and to withdraw this item from the proposal. On the other hand, the Council rejects the amendments relating to a specific Directive introducing the precautionary principle. The Council is of the opinion that the precautionary principle is already taken into account in this specific area because additives are only authorised to be used in foodstuffs after having been evaluated and declared safe by the Scientific Committee. The other amendment rejected by Council relates to the prohibition of additives which are already in use. The Council states that the matter of the inflammability of the three gases is taken care of by restricting the vegetable oils containing these gases to professional use only. Furthermore, these products are to be labelled with a warning according to Council Directive 75/324/EEC relating to aerosol dispensers. In conclusion, the Council considers that the common position at one and the same time substantially meets the most important wishes expressed by the European Parliament and takes sufficient account of recent technological requirements and developments. The Council is of the opinion that the common position reflects a sound balance between the technological requirements of the industry and consumer expectations.?

Food additives other than colours and sweeteners: amending Annexes

The Council unanimously adopted the common position with one abstention. The Commission agrees with the common position as this reflects the principles of the Commission's initial proposal, and complies with the European Parliament's amendment contained in the amended proposal introduced by the Commission. In addition, the Commission agrees with the clarification and precisions introduced by the Council.?

Food additives other than colours and sweeteners: amending Annexes

The committee adopted the draft recommendation for second reading (under the codecision procedure) by Paul LANNOYE (Greens/EFA, B) amending the Council's common position. It reinstated the amendment at first reading calling for sodium alginate (E 401) - which was used to prevent pre-peeled carrots from turning white and going soft - to be excluded from the list of permitted food additives. The committee pointed out that consumers would be led to think the food was fresher than it really was and that sodium alginate could have a laxative effect.?

Food additives other than colours and sweeteners: amending Annexes

The European Parliament endorsed the draft text by Mr Paul LANNOYE (Greens/EFA, B) on the common position. This amends a 1995 directive authorising the use of several new additives such as hydrogen and zinc acetate (E 848 and E 650). However, it also adopted an amendment against the use of sodium alginate (E 401) in prepacked raw peeled carrots.?

Food additives other than colours and sweeteners: amending Annexes

PURPOSE : to amend, in light of technological changes, the list of food additives established by Directive 95/2/EC. COMMUNITY MEASURE : Directive 2001/5/EC of the European Parliament and of the Council amending Directive 95/2/EC on food additives other than colours and sweeteners. CONTENT : the modification of Directive 95/2/EC authorises the use of certain new food additives which are at present forbidden but which have been recently evaluated by the Scientific Committee on Food and have been considered as harmless for human consumption. Theses are the following additives : E949 Hydrogen, E650 Zinc Acetate, E943a Butane, E943b Propane, E1520 Propan-1,2-diol (propylene glycol). ENTRY INTO FORCE : 24/02/2001. DEADLINE SET FOR THE TRANSPOSITION : 24/08/2002.?