

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive <a href="#">2002/0201(COD)</a>	Procedure completed
Food additives: conditions of use for E 425 konjac Amending Directive 95/2/EC <a href="#">1992/0424(COD)</a>	
Subject 3.10.10 Foodstuffs, foodstuffs legislation 4.60.04.04 Food safety	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ENVI</b> Environment, Public Health, Consumer Policy		02/10/2002
		ELDR <a href="#">PAULSEN Marit</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">2510</a>	19/05/2003
European Commission	Commission DG <a href="#">Health and Food Safety</a>	Commissioner	

Key events			
05/08/2002	Legislative proposal published	<a href="#">COM(2002)0451</a>	Summary
02/09/2002	Committee referral announced in Parliament, 1st reading		
22/01/2003	Vote in committee, 1st reading		Summary
22/01/2003	Committee report tabled for plenary, 1st reading	<a href="#">A5-0011/2003</a>	
11/02/2003	Decision by Parliament, 1st reading	<a href="#">T5-0039/2003</a>	Summary
19/05/2003	Act adopted by Council after Parliament's 1st reading		
18/06/2003	Final act signed		
18/06/2003	End of procedure in Parliament		
17/07/2003	Final act published in Official Journal		

Technical information	

Procedure reference	2002/0201(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 95/2/EC <a href="#">1992/0424(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed

### Documentation gateway

Legislative proposal	<a href="#">COM(2002)0451</a> , <a href="#">OJ C 331 31.12.2002, p. 0124 E</a>	05/08/2002	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES1358/2002</a> <a href="#">OJ C 085 08.04.2003, p. 0039-0039</a>	11/12/2002	ESC	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0011/2003</a>	22/01/2003	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T5-0039/2003</a> <a href="#">OJ C 043 19.02.2004, p. 0017-0040 E</a>	11/02/2003	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Directive 2003/52</a> <a href="#">OJ L 178 17.07.2003, p. 0023-0024</a> Summary
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## Food additives: conditions of use for E 425 konjac

**PURPOSE** : to amend the current authorisation to withdraw the authorisation to use E 425 konjac in jelly mini-cups in order to protect human health. **CONTENT**: on 27 March 2002, the Commission adopted a Decision (2002/247/EC) to suspend the placing on the market and import of jelly confectionery containing the food additive E 425 konjac. Also the use of E 425 konjac in jelly confectionery was suspended. The measure was adopted under Article 53 of Regulation 178/2002/EC of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety. The Commission took this measure after being informed by the several Member States and third countries of the risk involved in consuming jelly confectionery (so called jelly minicups) containing E 425 konjac. Several children and elderly persons had died in third countries through choking. In addition to the shape and size of this confectionery, the chemical and physical properties of the food additive konjac are such that it causes jelly mini-cups to constitute a life-threatening risk to humans. Some manufacturers of jelly mini-cups recognise the risk by affixing a warning on the food package, highlighting the risk for children and the elderly. In the present case, warning through labelling is not sufficient to protect human health, especially with regard to children. The use of the food additive E 425 konjac is authorised in foodstuffs in the European Community under certain conditions by Directive 95/2/EC of the European Parliament and of the Council of 20 February 1995 on food additives other than colours and sweeteners. It is necessary to amend the current authorisation to withdraw the authorisation to use E 425 konjac in jelly mini-cups in order to protect human health. In addition, the use of konjac in any other jelly confectionery should also be withdrawn, as it may present the same risk as jelly mini-cups.?

## Food additives: conditions of use for E 425 konjac

The committee unanimously adopted the report by Marit PAULSEN (ELDR, S) broadly approving the proposal, subject to a few amendments under the codecision procedure (1st reading). It called for a review, within three years, of the safety levels for all the food additives listed in Directive 95/2/EC, with proposals to amend them where necessary on the basis of their effects on children's health. The report pointed out that the limit values are set for adults but that children are the biggest consumers of the food and drinks concerned. The committee also adopted an amendment bringing forward the implementation of the ban in the Member States to six months after the legislation is published. ?

## Food additives: conditions of use for E 425 konjac

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The European Parliament adopted a resolution by 516 votes to 6, with 10 abstentions, slightly amending the Commission's proposal. The rapporteur was Marit PAULSEN (ELDR, Sweden). The only amendment voted by the Parliament stated that the directive must be effective six months after entry into force, instead of the Commission's date of 31 December 2003.?

## Food additives: conditions of use for E 425 konjac

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**PURPOSE** : to withdraw the authorisation to use E 425 konjac in jelly mini-cups in order to protect human health. **COMMUNITY MEASURE** : Directive 2003/52/EC of the European Parliament and of the Council amending Directive 95/2/EC as regards the conditions of use for a food additive E 425 konjac. **CONTENT** : The use of the food additive E 425 konjac is authorised in foodstuffs in the European Community under certain conditions by Directive 95/2/EC. This Directive withdraws the authorisation to use E 425 konjac in jelly mini-cups in order to protect human health. In addition, the use of konjac in any other jelly confectionery is also be withdrawn, as it may present the same risk as jelly mini-cups. The reason behind this measure is that jelly mini-cups containing E 425 konjac have been found to be dangerous, having caused the death of several children and elderly persons in third countries through choking. On 27 March 2002, the Commission adopted Decision 2002/247/EC to suspend the placing on the market and import of jelly confectionery containing the food additive E 425 konjac. Also the use of E 425 konjac in jelly confectionery was suspended. In addition to the shape and size of this confectionery, the chemical and physical properties of the food additive konjac are such that it causes jelly mini-cups to constitute a life-threatening risk to humans. Some manufacturers of jelly mini-cups recognise the risk by affixing a warning on the food package, highlighting the risk for children and the elderly. In the present case, warning through labelling is not sufficient to protect human health, especially with regard to children. Therefore, this Directive modifies the conditions of use for E 425 konjac as regards its use in jelly confectionery. **DATE OF TRANSPOSITION** : 17/01/04. **ENTRY INTO FORCE** : 17/07/03.?