



Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) 1992/0424(COD) Directive</p>	Procedure completed
<p>Food additives other than colours and sweeteners</p> <p>Amended by 1995/0114(COD) Amended by 1996/0166(COD) Amended by 1999/0158(COD) Amended by 2002/0201(COD) Amended by 2002/0274(COD) Amended by 2004/0237(COD) Repealed by 2006/0145(COD) See also 2010/2679(RSP)</p> <p>Subject 3.10.10 Foodstuffs, foodstuffs legislation 4.60.04.04 Food safety</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Consumer Protection	PPE SCHLEICHER Ursula	27/07/1994
Council of the European Union	Council configuration	Meeting	Date
	Environment	1817	16/12/1994

Key events			
17/06/1992	Legislative proposal published	COM(1992)0255	Summary
14/09/1992	Committee referral announced in Parliament, 1st reading		
27/04/1993	Vote in committee, 1st reading		Summary
27/04/1993	Committee report tabled for plenary, 1st reading	A3-0141/1993	
25/05/1993	Debate in Parliament		Summary
26/05/1993	Decision by Parliament, 1st reading	T3-0323/1993	Summary
22/06/1993	Modified legislative proposal published	COM(1993)0290	Summary
24/11/1993	Vote in committee, 1st reading		
24/11/1993	Committee report tabled for plenary confirming Parliament's position	A3-0365/1993	

02/12/1993	Decision by Parliament, 1st reading	T3-0683/1993	Summary
10/03/1994	Council position published	04552/2/1994	Summary
22/07/1994	Committee referral announced in Parliament, 2nd reading		
25/10/1994	Vote in committee, 2nd reading		Summary
25/10/1994	Committee recommendation tabled for plenary, 2nd reading	A4-0050/1994	
15/11/1994	Debate in Parliament		
16/11/1994	Decision by Parliament, 2nd reading	T4-0110/1994	Summary
16/12/1994	Act approved by Council, 2nd reading		
20/02/1995	End of procedure in Parliament		
22/02/1995	Final act signed		
18/03/1995	Final act published in Official Journal		

Technical information

Procedure reference	1992/0424(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	<p>Amended by 1995/0114(COD)</p> <p>Amended by 1996/0166(COD)</p> <p>Amended by 1999/0158(COD)</p> <p>Amended by 2002/0201(COD)</p> <p>Amended by 2002/0274(COD)</p> <p>Amended by 2004/0237(COD)</p> <p>Repealed by 2006/0145(COD)</p> <p>See also 2010/2679(RSP)</p>
Legal basis	EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/3/05335

Documentation gateway

Legislative proposal	COM(1992)0255	17/06/1992	EC	Summary
Economic and Social Committee: opinion, report	CES0212/1993 OJ C 108 19.04.1993, p. 0026	24/02/1993	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A3-0141/1993 OJ C 176 28.06.1993, p. 0004	27/04/1993	EP	
Text adopted by Parliament, 1st reading/single reading	T3-0323/1993 OJ C 176 28.06.1993, p. 0054-0106	26/05/1993	EP	Summary
Modified legislative proposal	COM(1993)0290 OJ C 189 13.07.1993, p. 0011	22/06/1993	EC	Summary

Reconsultation		COM(1993)0570	10/11/1993	EC	
Committee final report tabled for plenary, 1st reading/single reading		A3-0365/1993 OJ C 342 20.12.1993, p. 0003	24/11/1993	EP	
Text adopted by Parliament confirming position adopted at 1st reading		T3-0683/1993 OJ C 342 20.12.1993, p. 0015-0033	02/12/1993	EP	Summary
Council position		04552/2/1994 OJ C 172 24.06.1994, p. 0004	10/03/1994	CSL	Summary
Commission communication on Council's position		SEC(1994)0353	17/07/1994	EC	
Committee recommendation tabled for plenary, 2nd reading		A4-0050/1994 OJ C 341 05.12.1994, p. 0005	25/10/1994	EP	
Text adopted by Parliament, 2nd reading		T4-0110/1994 OJ C 341 05.12.1994, p. 0063-0071	16/11/1994	EP	Summary
Commission opinion on Parliament's position at 2nd reading		COM(1994)0563	01/12/1994	EC	
Follow-up document		COM(2001)0542	01/10/2001	EC	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 1995/2](#)
[OJ L 061 18.03.1995, p. 0001](#) Summary

Food additives other than colours and sweeteners

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Food additives other than colours and sweeteners

La directive-cadre communautaire relative au rapprochement des législations des Etats membres concernant les additifs pouvant être employés dans les denrées alimentaires est en vigueur depuis 1989. Lors de l'examen de cette directive-cadre, le PE avait imposé ses vues sur deux points de principe: - - En premier lieu, le Parlement avait demandé l'élaboration d'une "directive globale" délimitant, ou permettant de délimiter, l'utilisation de chaque additif alimentaire en fonction de sa nature, des denrées alimentaires auxquelles il peut être ajouté, de la quantité et du but technologique poursuivi. Cette approche permet à tous les intéressés d'avoir une vue d'ensemble. La Commission a présenté des propositions de Directive concernant les colorants et les édulcorants et le Parlement s'est déjà prononcé en première lecture sur ces propositions. La Commission européenne n'a pas encore fait, en l'absence d'avis du Comité scientifique de l'alimentation humaine, de proposition sur les "agents de traitement de la farine". La proposition de Directive relative aux additifs alimentaires autres que les colorants et les édulcorants à laquelle est consacrée le rapport de Mme Ursula SCHLEICHER (PPE, D) concerne donc les vingt et une autres catégories d'additifs (conservateurs, antioxygènes, acidifiants, antimoussants, stabilisants etc.) - Second succès remporté par le PE à l'époque: le choix de la "procédure de comité" à appliquer pour la mise en oeuvre de la directive-cadre. Le PE a obtenu que la Commission n'ait compétence exclusive que pour les adaptations purement techniques, la procédure législative normale devant s'appliquer pour toutes les autres adaptations. En adoptant le 27 avril par 22 voix contre 2 le rapport de Mme SCHLEICHER, la commission de l'environnement a notamment demandé que "ne puissent être utilisés dans les denrées alimentaires que les additifs conformes aux spécifications adoptées par le Comité scientifique de l'alimentation humaine". Elle a souligné que l'expression "quantum satis" figurant dans les annexes de la Directive signifie qu'aucun niveau maximal admissible n'est donné. "Mais les additifs doivent être utilisés, conformément aux bonnes pratiques de fabrication, en une quantité ne dépassant pas la mesure nécessaire pour atteindre le but recherché et à la condition que le consommateur ne s'en trouve pas induit en erreur". La commission de l'environnement a aussi souhaité que les Etats membres mettent en place dans les trois années

suivant l'adoption de la Directive des systèmes de contrôle de la consommation et de l'utilisation des additifs énumérés dans les annexes et rendent compte de leurs conclusions à la Commission. La commission désire enfin que le Comité scientifique de l'alimentation humaine réexamine à intervalles réguliers tous les additifs sur la base des connaissances scientifiques les plus récentes.

Food additives other than colours and sweeteners

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Food additives other than colours and sweeteners

Parliament adopted the report by Mrs Ursula Schleicher (PPE, D).?

Food additives other than colours and sweeteners

The Commission's amended proposal took up the following amendments by Parliament: - inclusion of the term 'quantum satis' in the statutory part in order to make the Directive clearer; - exclusion of substances not considered to be additives from the scope of application arising from the definition of the food additives covered by the framework Directive 89/107/EEC; - in order to prevent the destruction of foodstuffs not complying with the Directive, inclusion of an amendment under which foodstuffs not complying with the Directive could continue to be sold until stocks were exhausted; - amendment of the titles and text of the annexes as a result of the clearer drafting of the Directive; - additions to the list of foodstuffs in which it is prohibited to use additives; - need to monitor the intake of additives to allow for the periodic adaptation of the Directive; - adaptation of the minimum levels of use and addition of some additives satisfying a technological purpose; - addition of foodstuffs in which the use of the additive E385 is authorised in keeping with a technological purpose; - amendment of the definition of foodstuffs in which nitrates are used; - addition of a new food additive recently evaluated by the Scientific Committee on Food and satisfying a technological purpose.?

Food additives other than colours and sweeteners

The common position, approved with the abstention of the Danish and Italian delegations, took over the 18 EP amendments incorporated by the Commission in its amended proposal. In particular, the Council: - included in the list of foodstuffs to which food additives could not be added the following foodstuffs: unflavoured leaf tea; natural unflavoured buttermilk; all dry pasta products; all non-emulsified oils and fats; unflavoured live fermented milk products; - incorporated specific provisions concerning the regular monitoring of consumption and scientific monitoring of all food additives; - included in the list of foodstuffs to which certain food additives could be added the following foodstuffs: cream, including low-calorie cream; frozen vegetables; pre-cooked rice; beer; bread; non-emulsified vegetable oils and fats (except olive oil); canned fruit and vegetables; - added a new food additive E444 (sucrose acetate isobutyrate); - limited the use of glutamates by setting a maximum level of 10 g per kg; - introduced a complete positive list of the foodstuffs in which the use of phosphates (E341, E450, E451, E452) was authorised; - adopted the regulatory committee procedure. ?

Food additives other than colours and sweeteners

The Committee adopted the report. The report seeks to fix the lists of food additives the use of which is authorised with the exclusion of all others and the list of foodstuffs to which these additives may be added, the conditions of use and where appropriate and a limit on the technological purpose for this case. ?

Food additives other than colours and sweeteners

Parliament amended the common position of the Council by introducing 17 amendments whose substantial aims were: - to prohibit the use in foodstuffs of additives which did not comply with the specifications adopted by the Scientific Committee for Food, - to include substance E 471, fatty-acid monoglycerides and diglycerides, in Annex II (heading 7), - to include in Annex II (heading 13) the substances E 322, lecithin in the quantity of 30 g/l, fatty-acid monoglycerides and diglycerides in the quantity of 10 g/l. The Commission accepted this amendment. - to remove the following substances from Annex II (heading 24): E 334, tartaric acid - E 400, alginate acid - E 401, sodium alginate - E 402, potassium alginate - E 403, ammonium alginate and E 404, calcium alginate, - to increase the limit set in Annex III (heading 7, column Ba) for cask alcohol-free beer from 70 mg/l to 200 mg/l. - to include in Annex III (part B, heading 1) crustaceans of the family peneidae solenoceridae and aristeidae, with limits of 150 for less than 80 units, 200 for the range between 80 and 120 units and 300 for more than 120 units. The Commission accepted this amendment. - to withdraw the exception for bottled cider contained in Annex III (part B, foodstuff number 55). The Commission accepted this amendment. - to remove the reference to the admission into foodstuffs of orthophosphates in their natural state, which is included in Annex IV (heading 2) as a footnote, - to remove the reference to the maximum added quantity, which is included in Annex IV (headings 2 and 4) as a footnote, - to replace the expression "precooked potatoes", which is included in Annex IV (heading 4 (E 452), column 3, position 2) and has a limit of 100 mg/kg, with "processed potato products" with a limit of 5 g/kg, - to increase from 5 to 10 g/kg the limit established for bakery products in Annex IV (heading 18, column 3). The Commission accepted this amendment. ?

Food additives other than colours and sweeteners

The purpose of the European Parliament and Council Directive was to establish the list of food additives, other than colourings and sweeteners, which were authorized as foodstuffs, and to lay down their conditions of use. Only those additives which complied with the specifications adopted according to the recommendations of the Scientific Committee on Food could be used in foodstuffs. The Directive defined the substances which were considered as food additives, the foodstuffs for which these additives could be used and their conditions of use. The presence of a food additive was authorized: - in compound foodstuffs, insofar as the use of the additive was authorized in one of the ingredients of the compound; - in foodstuffs intended exclusively for the preparation of compound foodstuffs in accordance with the provisions of the Directive. Within five years of the entry into force of the Directive, the Commission would report to Parliament and the Council on developments in the food additives market and would examine the conditions of use and put forward possible amendments. ?

Food additives other than colours and sweeteners

According to European Parliament and Council Directives 94/35/EC, 94/36/EC and 95/2/EC on food additives, the Member States shall establish a monitoring system for the consumption of food additives. The objective is to monitor food additive consumption and to ensure that their use does not exceed the acceptable daily intake (ADI) set for additives by the Scientific Committee on Food (SCF). This report represents a first attempt to obtain an overview of the dietary food additive intake in the European Union. Even if the results must be regarded as a very preliminary indication on the dietary intake of food additives, they indicate that the intake of the majority of food additives permitted today in the European Union is below the acceptable daily intake (ADI) set by the Scientific Committee on Food. This report has many limitations. Food consumption data used was insufficient to estimate accurately food additive intake leading to worst case assumptions and consequent over-estimations of intake. Also several Member States did not use the agreed methodology for estimation of additive intake, leading to lack of comparability of the collected data. This highlights the need for Member States to apply the agreed, harmonised methodology to ensure consistency of approach and to allocate adequate resources for all future intake estimations. The current study should then be repeated and a new report should be drawn up within three years from now.