


Procedure file

Basic information	
DEA - Delegated acts procedure	2013/2997(DEA)
Procedure completed - delegated act rejected	
Provision of food information to consumers as regards the definition of 'engineered nanomaterials'	
Supplementing 2008/0028(COD)	
Subject	
4.60.02 Consumer information, advertising, labelling	
4.60.04.04 Food safety	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		05/02/2014
		PPE KLASS Christa	05/02/2014
			05/02/2014
		PPE PIETIKÄINEN Sirpa	05/02/2014
			05/02/2014
		S&D WESTLUND Åsa	
	ALDE RIES Frédérique		
		Verts/ALE SCHLYTER Carl	

Key events			
12/12/2013	Non-legislative basic document published	C(2013)08887	
12/12/2013	Initial period for examining delegated act 2 month(s)		
15/01/2014	Committee referral announced in Parliament		
12/03/2014	Results of vote in Parliament		
12/03/2014	Decision by Parliament	T7-0218/2014	Summary
12/04/2014	Initial period for examining delegated act extended at Parliament's request by 2 month(s)		

Technical information	
Procedure reference	2013/2997(DEA)
Procedure type	DEA - Delegated acts procedure
Procedure subtype	Examination of delegated act
Legal basis	Rules of Procedure EP 111-p3

Stage reached in procedure	Procedure completed - delegated act rejected
Committee dossier	ENVI/7/14829

Documentation gateway					
Non-legislative basic document		C(2013)08887	12/12/2013	EC	
Motion for a resolution objecting delegated act		B7-0185/2014	18/02/2014	EP	
Text adopted by Parliament, single reading		T7-0218/2014	12/03/2014	EP	Summary
Commission response to text adopted in plenary		SP(2014)457	11/08/2014	EC	

Provision of food information to consumers as regards the definition of 'engineered nanomaterials'

The European Parliament adopted by 402 votes to 258 with 14 abstentions, a resolution objecting to the Commission delegated regulation of 12 December 2012 amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers as regards the definition of engineered nanomaterials.

To recall, [Regulation \(EU\) No 1169/2011](#) on Food Information to Consumers provided that all food ingredients present in the form of engineered nanomaterials must be clearly indicated in the list of food ingredients to ensure consumer information. The Regulation, accordingly, provided for a definition of engineered nanomaterials.

The Commission delegated regulation excluded all food additives included in the Union lists from the new definition of engineered nanomaterial and instead suggested that the need for specific nano-related labelling requirements relating to those additives should be addressed in the context of the re-evaluation programme in accordance with Commission [Regulation \(EU\) No 257/2010](#), by amending, if necessary, the conditions of use in Annex II to Regulation (EC) No 1333/2008 on food additives.

Noting that it was precisely food additives that may be present as nanomaterials in food, Parliament considered that this blanket exemption annulled the labelling provisions for all food additives that were engineered nanomaterials.

The Commission had justified this blanket exemption for all existing food additives by stating that indicating such food additives in the list of ingredients followed by the word nano in brackets may confuse the consumers as it may suggest that those additives are new while in reality they have been used in foods in that form for decades.

Parliament rejected this justification as erroneous and irrelevant, as the Regulation on food information did not provide for a distinction between existing and new nanomaterials, but explicitly required labelling of all ingredients present in the form of engineered nanomaterials.

The resolution stressed that the Commissions stated intention to address the need for specific nano-related labelling requirements concerning food additives on the Union lists in the context of the re-evaluation programme was inappropriate as it confuses safety issues with general labelling requirements for consumer information purposes. Moreover, this also suggested that the Commission questions the very need for specific nano-labelling

On the basis of these considerations, Parliament felt that that the Commission delegated regulation was not compatible with the aim and content of Regulation (EU) No 1169/2011 and that it exceeded the delegated powers conferred on the Commission under the latter. It called on the Commission to submit a new delegated act which takes into account the position of Parliament.