

EN

EN

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.10.2008
COM(2008) 608 final

2006/0145 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL**

on food additives

AMENDING THE PROPOSAL OF THE COMMISSION pursuant to Article 250 (2) of the
EC Treaty

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL**

on food additives

1. INTRODUCTION

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the amendments proposed by the Parliament.

2. BACKGROUND

Date of transmission of the proposal to the EP and the Council (document COM((2006)0428 final – 2006/0145(COD):	28 July 2006
Date of the opinion of the European Economic and Social Committee:	25 April 2007
Date of the opinion of the European Parliament, first reading:	10 July 2007
Date of transmission of the amended proposal:	24 October 2007
Date of political agreement	17 December 2007
Date of adoption of the common position:	10 March 2008
Date of the opinion of the European Parliament (Second Reading)	8 July 2008

3. PURPOSE OF THE PROPOSAL

The Commission announced in the White Paper on Food Safety (COM (1999) 719 final) that it would up-date and simplify existing Community legislation with regard to food additives (Action 11 in the White Paper). The objectives of this proposal are:

- To simplify food additive legislation by creating a single instrument for principles, procedures and approvals;

- To confer the implementing powers on the Commission to update the Community list of authorised food additives;
- To consult the European Food Safety Authority (EFSA) for the safety evaluation of food additives;
- To set up a re-evaluation programme for existing food additives
- To require the authorisation of food additives that consist of, contain or are produced from genetically modified organisms under Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

- The EP voted in second reading a consolidated text which contains a number of amendments to the text of the Common Position. The text is the result of negotiations between the Council, the EP and the Commission. The amendments are mainly of technical nature and are generally in line with and strengthen the key principles of the initial proposal. Of particular note are the amendments which will require labelling of the possible adverse effect on children's behaviour which has been associated with certain food colours. Other amendments concern the clarification of the interplay between the proposed Regulation on food additives and Regulation (EC) No 1829/2003 on genetically modified food and feed and also clarifying that food additives which are produced using different production processes or with different starting materials require a new safety evaluation. Other amendments strengthen the precautionary principle and further clarify the principle of not misleading the consumer.
- The Commission accepts all the amendments voted by the EP. The outcome of the second reading in the EP was very satisfactory

5. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.