



2nd Meeting of the Expert Group on Regulation (EU) No 1169/2011 on the provision of food information to consumers
Short minutes of the meeting held on March 6th 2013 in Brussels

Topic: Preparation of a Commission Delegated Regulation on the adaptation of the definition of 'engineered nanomaterials' laid down in Regulation (EU) No 1169/2011 on the provision of food information to consumers

The Commission (DG SANCO and the Joint Research Centre) and representatives from the following Member States were present: DK, DE, EE, IRL, ESP, FR, IT, CY, LV, LU, HU, NL, AT, RO, SL, FIN, SE, UK.

Background:

This was the 2nd meeting of the Expert Group on the provision of Food information to consumers and the 2nd time that the adaptation of the 'engineered nanomaterials' definition was discussed.

Meeting:

Following the discussion of the 1st meeting, the Commission outlined the main elements of the revised adaptation of the definition as follows:

- Limit the concept of 'engineered nanomaterials' to **'intentionally manufactured' only**;
- Coverage of newly manufactured food additives (i.e. exclusion of food additives **already** authorised prior to Regulation 1333/2008, e.g. silicon dioxide);
- Additional definition of **'intentionally manufactured'** putting forward **4 options** as discussed in the previous meeting;
- Set the particle size distribution as **low as possible and below 50%** while differentiating amongst substances depending the availability of detection methods.

Overall, the MSs supported the general approach, as presented.

SPECIFIC ISSUES:

- **Limiting 'engineered nanomaterials' to 'intentionally manufactured' materials:**
There was broad support of the limitation of the 'engineered nanomaterials' to materials 'intentionally manufactured' (exclusion of natural and incidentally manufactured), since the reference to 'intention' is already in the existing definition, however, certain concerns on the enforcement of the 'intention' were expressed.
- **Coverage of only new food additives to be authorised:**
There was support from some MSs; however the matter needed to be discussed further in future meetings.
- **Definition of 'intentionally manufactured':**
Four options were put forward. A majority of MSs expressed preference to either link the intention with nano size and the existing ISO standard or to link the intention only with nano size.
- **Different thresholds for particle size distribution per material set as low as possible and below 50% depending on the availability of detection methods:**



Initial comments expressed concerns on the feasibility of setting different thresholds for the purpose of enforcement. Others said that a lower threshold should be applicable for safety purposes but not for labelling purposes.

Other issues discussed included the need to label nanoscale components present as emulsions, the issue of food carriers, such as fullerenes present in nano form, the inclusion of grapheme flakes and single wall carbon nanotubes.