



Expert Group on Regulation (EU) No 1169/2011 on the provision of food information to consumers

Short minutes of the meeting held on 09 October 2019 in Brussels

Topic: Exchange of views on draft delegated regulation amending Annex II to Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards behenic acid from mustard seeds to be used in the manufacturing of certain emulsifiers.

The Commission (DG SANCO), Norway and representatives from all EU Member States were present with the exception of Croatia and Portugal.

Background

This was the second meeting of the Expert Group on the provision of Food information to consumers devoted to the preparation of the delegated regulation in subject. During the first meeting, which took place on 24 November 2017, a Member State expressed certain reservations on the compatibility of the emulsifiers covered by the scope of the draft delegated regulation with specific EU legislation on contaminants. Therefore, the Commission undertook further internal work in order to examine the issue.

Meeting

The objective of the meeting was to discuss with the national experts a revised draft delegated regulation, prepared by the Commission, which reflects the outcome of the previous discussions on the matter. In particular, Member States were informed about the position expressed by national experts of the Working Group on food additives as to the compliance of the emulsifiers in question with the relevant EU legislation. It was also explained that in light of these conclusions, the national delegation in question lifted its reservation expressed on the draft during the meeting of 11 November 2017. However, some adjustments with regard to the scope of the delegated regulation were required.

Overall, the Member States agreed on the proposed text, with exception of one delegation which expressed doubts on the daily combined dietary exposure to the emulsifiers in question estimated by EFSA in its scientific opinion on behenic acid from mustard seeds of 2016¹. In this regard, it was pointed out that different levels for the same emulsifiers were indicated in the latest EFSA opinions adopted by its ANS Panel in 2017² and 2018³ issued in the context of their re-evaluation.

The Commission explained that the EFSA scientific opinions referred to by the Member State were adopted in a wider context. By contrast, the emulsifiers covered by the draft delegated regulation are of specific characteristics and are manufactured following specific production process.

¹ EFSA Journal 2016; 14(11):4631, p.14.

² EFSA Journal 2017; 15(11):5045, p. 43.

³ EFSA Journal 2018 ; 16(2) :5497, p. 30.

Conclusions

The Commission concluded that the question raised will be further investigated. Should the concerns be unjustified, the Commission will launch the adoption procedure of the delegated regulation.