

**Amended proposal for a Directive of the European Parliament and of the Council amending
Directive 95/2/EC on food additives other than colours and sweeteners ⁽¹⁾**

(2000/C 337 E/38)

(Text with EEA relevance)

COM(2000) 451 final — 1999/0158(COD)

(Submitted by the Commission pursuant to Article 250 (2) of the EC Treaty on 19 July 2000)

⁽¹⁾ OJ C 21 E, 25.1.2000, p. 42.

INITIAL PROPOSAL

AMENDED PROPOSAL

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF
THE EUROPEAN UNION,

Unchanged

Having regard to the Treaty establishing the European
Community,

Having regard to Council Directive 89/107/EEC of 21
December 1988 on the approximation of the laws of the
Member States concerning food additives authorised for use
in foodstuffs intended for human consumption ⁽¹⁾, as
amended by European Parliament and Council Directive
94/34/EC ⁽²⁾, and in particular Articles 3(2) and 5(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social
Committee,

Acting in accordance with the procedure referred to in Article
251 of the Treaty,

Whereas:

- (1) European Parliament and Council Directive 95/2/EC of 20
February 1995 on food additives other than colours and
sweeteners ⁽³⁾, as last amended by Directive 98/72/EC ⁽⁴⁾,
lays down a list of food additives that may be used in
the European Community and their conditions of use.
- (2) There have been technical developments in the field of food
additives since the adoption of Directive 95/2/EC.
- (3) Directive 95/2/EC should be adapted to take account of
these developments.
- (4) According to Article 5(1) of Directive 89/107/EEC, a
Member State may authorise a use of a new food
additive for a two-year period in its territory;

⁽¹⁾ OJ L 40, 11.2.1989, p. 27.

⁽²⁾ OJ L 237, 10.9.1994, p. 1.

⁽³⁾ OJ L 61, 18.3.1995, p. 1.

⁽⁴⁾ OJ L 295, 4.11.1998, p. 18.

INITIAL PROPOSAL

- (5) In accordance with the requests of Member States, the following nationally authorised additives should be approved at Community level: ethyl hydroxyethyl cellulose, propane, butane and iso-butane.
- (6) Pursuant to Article 6 of Directive 89/107/EEC the Scientific Committee on Food, established under Commission Decision 97/579/EC ⁽¹⁾, has been consulted on the adoption of provisions liable to have an effect on public health;

HAVE ADOPTED THIS DIRECTIVE:

Article 1

The Annexes of Directive 95/2/EC are amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt the laws, regulations and administrative provisions necessary to comply with this Directive by 31 August 2000 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

AMENDED PROPOSAL

- (5) In accordance with the requests of Member States, the following nationally authorised additives should be approved at Community level: propane, butane and iso-butane.

Unchanged

⁽¹⁾ OJ L 237, 28.8.97, p. 18.

ANNEX

Original table

1. In Annex I:

- a) The following additives are inserted in the table:

'E 467 Ethyl hydroxyethyl cellulose

E 949 Hydrogen *

- b) In point 3 of the note, the substance 'E 949' is inserted in the text corresponding to the explanation of symbol *.

2. In Annex II:

The following row is added:

'Peeled and cut ready-to-eat carrots	E 401 Sodium alginate	quantum satis'
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3. In Annex IV:

- a) The following is added to the row for E 445: Glycerol esters of wood rosin:

'Spirit drinks in accordance with Council Regulation (EEC) No 1576/89 laying down general rules on the definition, description and presentation of spirit drinks (*)	100 mg/l
Spirit drinks containing less than 15 % alcohol by volume	100 mg/l

(*) OJ L 160, 12.6.1989 p. 1.'

- b) The following rows are added:

'E 650	Zinc acetate	Chewing gum	1 000 mg/kg
E 943a	Butane	Vegetable oil pan spray (for professional use only)	quantum satis'
E 943b	Isobutane		
E 944	Propane	Water-based emulsion sprays	

4. In Annex V, the first row is replaced by the following:

'E 1520	Propan-1,2-diol (propylene glycol)	Colours, emulsifiers, anti-oxidant and enzymes (maximum 1 g/kg in the foodstuff)'
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Amended table

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