Wednesday 19 May 2010

Food additives other than colours and sweeteners

P7_TA(2010)0182

European Parliament resolution of 19 May 2010 on the draft Commission directive amending the Annexes to European Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners and repealing Decision 2004/374/EC

(2011/C 161 E/10)

The European Parliament,

— having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives [1], and in particular Articles 31 and 28(4) thereof,

— having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety [2],

— having regard to Directives 95/2/EC of the European Parliament and Council of 20 February 1995 on food additives other than colours and sweeteners [3] and 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States concerning food additives authorised for use in foodstuffs intended for human consumption [4] which have been repealed and replaced by the above-mentioned Regulation (EC) No 1333/2008,

— having regard to the draft Commission directive amending the Annexes to European Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners and repealing Decision 2004/374/EC,

— having regard to Article 5a(3)(b) of the Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [5],

— having regard to Rule 88(2) and (4)(b) of its Rules of Procedure,

A. whereas, under Article 31 of Regulation (EC) No 1333/2008, the Commission may, until the establishment of the Community lists of food additives provided for in Article 30 of that Regulation, adopt measures to amend the Annexes to, inter alia, Directive 95/2/EC,

B. whereas Annex IV to Directive 95/2/EC contains a list of food additives that may be used in the European Union and prescribes the conditions for their use,

C. whereas, in addition, the general criteria for the use of food additives were laid down in Annex II to Directive 89/107/EEC and since that Directive has been repealed and replaced by Regulation (EC) No 1333/2008, the relevant criteria are now to be found, inter alia, in Article 6 of that Regulation, which concerns general conditions for inclusion and use of food additives in Community lists,

[1] OJ L 354, 31.12.2008, p. 16.
[2] OJ L 31, 1.2.2002, p. 1.
[3] OJ L 61, 18.3.1995, p. 1.
[4] OJ L 40, 11.2.1989, p. 27.
[5] OJ L 184, 17.7.1999, p. 23.

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D. whereas Article 6 of that Regulation provides that a food additive may be permitted for use in the EU only if it meets certain conditions including, under paragraph 1(c), that it does not mislead the consumer, and under paragraph 2, that it has advantages and benefits for consumers,

E. whereas Article 6 of that Regulation also provides, in paragraph (1)(a), that a food additive may only be permitted for use if it does not pose a safety concern to the health of the consumer,

F. whereas furthermore, Regulation (EC) No 178/2002 (which is known as 'the General Food Law Regulation') and in particular Article 8 thereof, provides inter alia that food law shall aim at the protection of the interests of consumers and shall provide a basis for consumers to make informed choices in relation to the foods they consume, and that it shall aim at the prevention of practices which may mislead the consumer,

G. whereas the draft Commission Directive, and in particular recital 25 and point (3)(h) of the Annex thereto, provides for the inclusion in Annex IV to Directive 95/2/EC of an enzyme preparation based on thrombin with fibrinogen as a food additive for reconstituting food,

H. whereas thrombin, whilst derived from the edible parts of animals, has the character of a 'meat-glue' and its purpose as a food additive is to bind together separate meat pieces in order to produce a single meat product,

I. whereas the purpose of the use of thrombin therefore is to present pieces of meat to consumers as a single meat product, and therefore the risk of misleading the consumer is obvious,

J. whereas recital 25 of the draft Commission Directive itself recognises that the use of thrombin with fibrinogen as a food additive could mislead the consumer as to the state of the final food,

K. whereas point (3)(h) of the Annex to the draft Commission Directive provides for the inclusion of bovine and/or porcine thrombin in the list of permitted food additives under Annex IV to Directive 95/2/EC in pre-packed meat preparations and pre-packed meat products for the final consumer to a maximum of 1mg/kg, to be used together with fibrinogen and under the condition that the food shall bear the information 'combined meat parts' in the proximity of its sales name,

L. whereas, whilst the draft Commission Directive would not permit the use of thrombin as a food additive in meat products served in restaurants or other public establishments serving food, there is however, a clear risk that meat containing thrombin would find its way into meat products served in restaurants or other public establishments serving food, given the higher prices that can be obtained for pieces of meat served as a single meat product,

M. whereas it is therefore not clear that the prohibition against the use of thrombin in meat products served in restaurants or other public establishments serving food, would result in the prevention in practice of such meat products being used in restaurants or other public establishments serving food, and sold to consumers as single-meat products,

N. whereas the above-mentioned labelling conditions contained in the draft Commission Directive would fail to guard against the creation of a false and misleading impression to consumers as to the existence of a single-meat product, and therefore there is a risk that consumers would be misled and prevented from making an informed choice in relation to the consumption of meat products containing thrombin,

O. whereas the advantages and benefits for consumers of thrombin have not been demonstrated,

P. whereas the process of binding together many separate pieces of meat significantly increases the surface area that may be infected by pathogenic bacteria (such as clostridium and salmonella) which, in such a process, can survive and be reproduced without oxygen,

Q. whereas the risk of infection by pathogenic bacteria is particularly serious since the binding process can be undertaken by way of cold bonding without the addition of salt and without any subsequent heating process, and as a result the safety of the final product cannot be guaranteed,

R. whereas the draft Commission Directive therefore fails in these respects to comply with the criteria for the inclusion of food additives in Annex IV to Directive 95/2/EC,

1. Considers that the draft Commission directive is not compatible with the aim and content of Regulation (EC) No 1333/2008;

2. Opposes the adoption of the draft Commission Directive amending the Annexes to European Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners and repealing Decision 2004/374/EC;

3. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.

‘Action plan on organ donation and transplantation (2009-2015)’

P7_TA(2010)0183

European Parliament resolution of 19 May 2010 on the Commission Communication: Action plan on Organ Donation and Transplantation (2009-2015): Strengthened Cooperation between Member States (2009/2104(INI))

(2011/C 161 E/11)

The European Parliament,

— having regard to Article 184 of the Treaty on the Functioning of the European Union,

— having regard to the Charter on Fundamental Rights of the European Union,

— having regard to the Proposal for a Directive of the European Parliament and of the Council on standards of quality and safety of human organs intended for transplantation (COM(2008)0818),

— having regard to the Commission Communication entitled ‘Action plan on Organ Donation and Transplantation (2009-2015): Strengthened Cooperation between Member States’ (COM(2008)0819),

— having regard to Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells ([1]),

— having regard to the World Health Organization’s Guiding Principles on Human Organ Transplantation,

([1]) OJ L 102, 7.4.2004, p. 48.