

**SENATE OF THE ITALIAN REPUBLIC**  
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**RESOLUTION OF STANDING COMMITTEE 9**

**(Agriculture and Agri-Food Production)**

*(Rapporteur DALLA TOR)*

*adopted at the sitting of 12 February 2014*

CONCERNING THE  
**PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF  
THE COUNCIL ON NOVEL FOODS  
(COM (2013) 894 final)**

*pursuant to Article 144(1) and (6) of the Rules of Procedure*

**Communicated to the President's Office on 14 February 2014**

**CONTENTS**

Text of the resolution

Opinion of Standing Committee 14

The Committee,

having examined, in accordance with Article 144(1) and (6) of the Rules of Procedure, the proposal for a Regulation of the European Parliament and of the Council on novel foods;

having noted the comments expressed by Standing Committee 14 on 5 February 2014,

whereas:

the new proposal for a Regulation brings together and updates the provisions of the Regulations cited and places emphasis on simplifying and streamlining the regulatory process, thus reducing the administrative burden and improving the competitiveness of the European food industry, while ensuring the safety of food and maintaining a high level of public health protection;

the proposal provides for a quicker centralised procedure, the removal of national administrative procedures and duplication of work, the streamlining of the authorisation process and the introduction of a simplified procedure for the placing on the market of traditional foods from third countries;

micro-enterprises are not exempt from the obligations and procedures set out in the Regulation, as such an exemption would not be compatible with the overall objective of ensuring the safety of the novel foods placed on the EU market;

in accordance with Protocol No 2, a favourable opinion has been expressed regarding compliance with the subsidiarity principle;

ensuring that products are safe and of good quality remains a key aspect of the development of the sector, not least in terms of global food security,

issues a favourable opinion with the following comments:

the Committee believes that the amount of information to be provided by the applicant pursuant to Article 9 of the proposed Regulation should be increased to strengthen consumer protection and ensure greater compliance with other applicable European laws in the sector;

regarding the authorisation procedures for placing on the market referred to in Article 9 of the proposal, we believe there should be a greater involvement of the EFSA and the Member States: the European Commission should be obliged to provide them with copies of the authorisation request so that they may comment on the effects on human health, and the Commission should be obliged to take any such comments into consideration;

on the introduction of a specific procedure for the placing on the market of traditional foods from third countries with a proven history of safe food use, the necessary measures should be introduced to ensure that these countries comply with applicable European legislation on hygiene and food safety;

the Committee recommends continuing to pursue recognition of geographical indications for agricultural produce, and the ensuing legal protection, in the appropriate international forums.

## OPINION OF STANDING COMMITTEE 14

(EUROPEAN UNION POLICIES)

(*Rapporteur*: Candiani)

6 February 2014

Standing Committee 14, having examined the document in question,

whereas the proposal is similar to the proposal on novel foods presented in 2007, on which no final agreement was reached during the conciliation committee between the Parliament and the Council of the European Union;

whereas, in the absence of a new Regulation, the legislation in force continues to be based on Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients and on Commission Regulation (EC) No 1852/2001 of 20 September 2001 laying down detailed rules for making certain information available to the public and for the protection of information submitted pursuant to European Parliament and Council Regulation (EC) No 258/97;

whereas novel foods are defined as foods or substances for which there is no evidence of 'significant' consumption within the European Union before 15 May 1997, the date the Regulation came into force;

whereas, under current novel food legislation, an application for a pre-market authorisation is first assessed by the relevant body of the Member State in which the applicant operates and if reasoned objections are presented, an authorisation decision is required by the Commission;

whereas the new proposal for a Regulation brings together and updates the provisions of Regulations (EC) No 258/97 and No 1852/2001, which will be repealed when the new law comes into effect, and places emphasis on simplifying and streamlining the regulatory process, thus reducing the administrative burden and improving the competitiveness of the European food industry, while ensuring the safety of food and maintaining a high level of public health protection;

whereas the proposal provides for a quicker centralised procedure (18 months, compared with the three years, on average, that it currently takes), the removal of national administrative procedures and duplication of work, the streamlining of the authorisation process and the introduction of a simplified procedure for the placing on the market of traditional foods from third countries;

having assessed the report sent by the Government pursuant to Article 6(4) of Law No 234 of 24 December 2012;

bearing in mind, finally, that the proposal forms part of a package of measures, together with the proposals for Directives setting out a temporary ban on animal cloning (COM(2013) 892) and prohibiting the placing on the market of food from animal clones (COM(2013) 893),

issues a favourable opinion, within its area of competence, with the following comments:

the proposal complies with the principle of conferral, since the approximation of Member States' laws which have as their object the establishment and functioning of the internal market is possible under the general provision of Article 114 of the Treaty on the Functioning of the European Union;

as regards compliance with the principles of subsidiarity and proportionality, the above proposal is justified by the fact that individual measures by Member States could result in different levels of food safety and human health protection, and would not reduce administrative costs. We would also note that the European Commission has not enclosed the impact assessment provided for under Article 5 of Protocol No 2 with this proposal, referring instead to the impact assessment carried out in 2007 and annexed to the original proposal;

turning to the substance of the proposal, the Committee supports the European Commission's decision not to exempt micro-enterprises from the obligations and procedures set out in the Regulation, as such an exemption would not be compatible with the overall objective of ensuring the safety of the novel foods placed on the market;

the fact that most EU food businesses do not want to develop and place on the market new foods or food ingredients which would fall under the scope of the current Novel Food Regulation due to its particularly burdensome, lengthy and costly authorisation procedures, and the fact that the EU has been much criticised at WTO level by third countries which consider that novel food authorisation is a barrier to trade and prevents EU market access to foods which have a long history of safe food use in their country of origin, should not necessarily be seen as 'weaknesses of current EU legislation' to be 'streamlined and adapted';

the Committee therefore suggests carefully assessing the proposal in question and remembering that ensuring safe, good-quality products remains a key aspect of the development of the sector, not least in terms of global food security;

on this point, the Committee believes that the amount of information to be provided by the applicant pursuant to Article 9 of the proposed Regulation should be increased to strengthen consumer protection and ensure greater compliance with other applicable European laws in the sector;

regarding the authorisation procedures for placing on the market referred to in Article 9 of the proposal, we believe there should be a greater involvement of the EFSA and the Member States: the European Commission should be obliged to provide them with copies of the authorisation request so that they may comment on the effects on human health, and the Commission should be obliged to take any such comments into consideration;

on the introduction of a specific procedure for the placing on the market of traditional foods from third countries with a proven history of safe food use, the necessary measures should be introduced to ensure that that these countries comply with applicable European legislation on hygiene and food safety;

finally, the Committee recommends continuing to pursue recognition of geographical indications for agricultural produce, and the resulting legal protection, in the appropriate international forums in order to 'protect Italy's quality products, which suffer from misuse, evocation and imitations that cause incalculable financial harm to both producers and the entire Italian economy' (2014 Programme Report).