



Brussels, 7-3- 2016

**MINUTES OF THE EXPERT GROUP ON OFFICIAL CONTROLS (E00911)
MEETING DEDICATED TO OFFICIAL CONTROLS ON FOOD ADDITIVES AND SMOKE
FLAVOURINGS**

Date of the event: 8 February 2016
Place: Brussels
Participants: All MS's except ES, BU, CY, SK.
SANTE Units: E2, F1, F4 and G3.

Chair: Anneke Toorop, DG SANTE, Unit G3

Introduction: Gudrun Gallhoff, DG SANTE, dep. Head of Unit G3

The objective of the meeting was to highlight obligations and to review official controls on food additives and smoke flavourings in accordance with Regulation (EC) No 882/2004 and to identify ways to improve it considering recent Union audits/fact finding results.

DG SANTE recalled the legislative framework applicable to official controls, food additives and smoke flavourings (see slides attached). Particular focus was put on

1. Competent authorities must carry out risk based **official controls** also in the production and use chain of food additives and smoke flavourings. All food business operators (FBO) including this food production and use chain must **register** with competent authorities.

2. Food Additives

Regulation (EC)1333/2008¹ defines, amongst others, food additives, processing aids, the *quantum satis principle* (Art. 3) and rules on the 'carry over' principle (Art. 18) as well as labelling requirements (business to business, retail – Chapter IV).

3. Smoke flavourings

New legislation on the Union list of the 10 authorized smoke flavourings of primary products, including their characteristics and use, has been fully in force since 2015 (Reg. (EC) 1321/2013). Labelling is required throughout the production and use chain. Discussions with MS experts on how to monitor the use of smoke flavourings and to apply risks based approach are ongoing.

4. The Food Additives supply and use chain

Competent authorities should perform risk based official controls throughout the entire supply and use chain of food additives and smoke flavourings. For each step in this chain, the main risks were highlighted as were the key points for official controls. This included food additives production, import and distribution stages, premix production, use by food producers, food distribution and labelling to retail and the final consumer. Each part of the chain has its own responsibilities. The early stages of the production chain and the correct labelling of the final product to the consumer require specific attention.

5. Union audits on official controls on food additives and smoke flavourings.

Union audits/fact finding show that systematic official controls on food additives and smoke flavourings are carried out in some Member States but are in others often insubstantial. The results indicated the following shortcomings:

a. Inspections and FBO's

- Lack of specific knowledge (local inspectors are generalists covering many subjects)
- Lack of specific knowledge of food business operators and importers active in their constituency

b. Labelling incomplete

- Inappropriate labels on premix and retail packages,

c. Nitrites and nitrates in meat preparations/meat products

- Incorrect use of *nitrites and nitrates* in *meat preparations/meat products* is not detected also due to lack of knowledge on calculation methods and uncertainty on the correct classification of products (meat products, meat preparations, 'similar to a traditional product').

6. Tour de table by Member States

All Member States present presented official controls in the supply and use chain of food additives and smoke flavourings carried out on their territory. They also highlighted the challenges of the task from their perspective and reflected on guidance needed.

- *Knowledge of inspectors:*
 - o regional inspectors must be generalist of official control, no checklists available to compensate for this
 - o smoke flavourings and additives are considered low risk and thus considered low priorities in multi annual control plan
 - o calculation methods are unclear or divergent
 - o little knowledge on food additive specific issues ('carry over', *Quantum Satis* principle)
 - o Language problems (BTSF training, Database only in English)
 - o difficulty in understanding the complex legislation
- *Labelling/specification:*
 - o Unclear whether every consignment of additives/premix must be accompanied by additives specifications
 - o additional labelling requirements of the Southampton colours, sweeteners and food containing sulphites unclear
 - o problems with intermediary products.
 - o term 'similar to traditional products' is unclear
 - o Many SME rely only on the information provided by premix suppliers
- *Nitrates/nitrites:*

- high levels of nitrates/nitrites found in some cured meat samples due to lack technical expertise to calculate correct recipes (often small butcheries)
- *Classification of meat products and meat preparations:*
 - Dispute with business operator on the correct classification of meat products and meat preparations
- *Food ingredients used for food additive purposes:*
 - Difficulties to assess compliance if ingredients are used as carriers for food additives (e.g. spinach/celery extract used for its high nitrate content).
- *Flavourings:*
 - main issue with flavourings is the lack of methodology for their analysis and the large number of substances used.
 - manufacturers do not lay open recipes (commercial secret)
- *Sampling and analysis:*
 - Best sampling sites and best analytical methods and uniformity needed
 - Phosphates, additional guidance needed for inspections
- *Guidance*

MS supported the idea of additional guidance, provided it will be flexible and practical and would contain information as for instance to contribute to the harmonization of calculation methods and continuous improvement of official controls and be complementary to those already in use

7. Next steps

- a) Member States are invited to communicate challenges in the official controls of food additives and smoke flavorings to SANTE-REVIEW-882-2004@ec.europa.eu
- b) The Commission will consider drafting further guidance to address the most relevant and frequent issues and distribute them to the participants of the Expert Group on Official controls of food additives and smoke flavourings.
- c) Further meeting of the Expert Group on Official controls on this subject could be convened in order to review it.

Annex (PowerPoint presentations)

