

EUROPEAN PARLIAMENT

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Committee on Industry, Research and Energy

2006/0144(COD)

28.3.2007

OPINION

of the Committee on Industry, Research and Energy

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, and Council Directive 2001/112/EC
(COM(2006)0425 – C6-0257/2006 – 2006/0144(COD))

Draftswoman: Erna Hennicot-Schoepges

SHORT JUSTIFICATION

For thousands of years, man has used naturally occurring micro-organisms - bacteria, yeasts and moulds - and the enzymes they produce to make foods such as bread, cheese, beer and wine. The second half of the 20th century has seen a significant growth in the use of enzymes in food processing (like baked goods, wine and juices, brewing, dairy products, starch and sugar) and increasing sophistication in the methods of processing and preparing food will demand an ever wider-range of enzymes.

Enzymes are extremely useful in the food industry. Acting as biocatalysts, they facilitate the biochemical reactions through which all biological material is built up and ultimately broken down. Enzymes can break down complex molecules (e.g. carbohydrates) into smaller units, they can catalyse structural changes within one molecule (e.g. isomerisation of sugar), or join substrate molecules to other specific molecules (e.g. the building of proteins or cell wall materials). Furthermore, enzymes are very efficient, being able to accelerate reactions by factors of at least a million without modifying themselves. Compared to chemically catalysed reactions, enzymatic reactions offer some major advantages in terms of lower energy consumption, lower waste production, and biodegradability. Enzymes can be compared to a key to an individual lock, rather than to a chemical axe to break down the door. The increased use of enzymes triggered the emergence of "commercial" enzymes, produced from the fermentation of specially selected micro-organisms.

The legislation controlling the use of enzymes in food processing in the EU is nowadays not fully harmonised. Enzymes used in food processing are considered to be either food additives or processing aids. Food additives are essentially substances that are added to food and have a technological function in that food, while processing aids are essentially substances that are added during food processing for technical reasons and may end up in the food but do not have a technological function in the final food.

The use of enzymes as food additives is regulated by Directive 89/107/EEC. However, at the moment, this Directive only covers and authorises two enzymes as food additives (lysozyme and invertase). The use of enzymes as processing aids is not regulated at all at European level, but merely at national level. National legislation in this area differs from country to country as far as the number and type of permitted enzymes (whether or not produced by genetically modified micro-organisms) in various applications is concerned, and also as far as pre-market approval is concerned.

In order to create a level playing field and ensure the proper functioning of the internal market, the harmonisation of rules at Community level is necessary. This proposed Regulation aims at harmonizing the safety evaluation and authorisation of all food enzymes, including those produced by GMOs, and requires their labelling.

Your draftswoman welcomes this proposal that will introduce a harmonised system of safety evaluation of enzymes at Community level. However, in order to make the proposal more workable, your draftswoman would like to introduce a "fast track" procedure for food enzymes already evaluated and authorized by Member States (such as Denmark, France or the UK). Also, your draftswoman would like to propose certain amendments to enhance legal clarity.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1

ARTICLE 2, PARAGRAPH 2, POINT (C A) (new)

(ca) digestive aids;

Justification

Legal clarification. It should be clear that, as stated in Recital 4, this Regulation should only cover enzymes that are added to food to perform a technological function and not enzymes intended for human consumption, such as enzymes fort digestive aids.

Amendment 2

ARTICLE 2, PARAGRAPH 4

4. This Regulation shall not apply to microbial cultures that are ***traditionally*** used in the production of food and which may contain enzymes but which are not specifically used to produce them.

4. This Regulation shall not apply to microbial cultures that are used in the production of food and which may contain enzymes but which are not specifically used to produce them.

Justification

Legal clarification. It is not clear what the word "traditionally" covers.

Amendment 3

ARTICLE 3, PARAGRAPH 2, SUBPARAGRAPH 1 A (new)

'food enzyme preparation' means a food enzyme formulated with substances that facilitate the storage, sale, standardisation, dilution or dissolution of the food enzyme.

¹ Not yet published in OJ.

Justification

A definition of 'food enzyme preparation' is lacking from this proposal. In order to simplify the business to business labelling of food enzymes, this term is introduced in Article 8.

Amendment 4
ARTICLE 6, PARAGRAPH 2, POINT (A)

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| (a) the <i>name</i> of the food enzyme; | (a) the <i>definition</i> of the food enzyme, <i>including its common or recommended name, systematic name and synonyms, if possible according to the nomenclature of the International Union of Biochemistry and Molecular Biology and, in the case of complex enzymes, selected on the basis of the enzyme activity that determines the enzymes's function;</i> |
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Justification

If possible, the most accurate enzyme name, based on the International Union of Biochemistry (IUB)'s Nomenclature should be used. In cases of complex enzymes, the name should be based on the enzyme activity (active principle) that is exerting the functionality in the food processing.

Amendment 5
ARTICLE 7, TITLE

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| Inclusion of genetically modified <i>enzymes</i> on the Community list | Inclusion <i>in the Community list of food enzymes from</i> genetically modified <i>micro organisms</i> |
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Justification

The term "genetically modified enzymes" could lead to misunderstandings.

Amendment 6
ARTICLE 8

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| Food enzymes not intended for sale to the final consumer, whether sold singly or mixed with each other <i>and/or with other ingredients as defined in Article 6(4) of Directive 2000/13/EC</i> , may be marketed only where the packaging or containers bear | Food enzymes <i>and food enzyme preparations</i> not intended for sale to the final consumer, whether sold singly or mixed with each other, may be marketed only where the packaging or containers bear the information provided for in Articles 9 to |
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the information provided for in Articles 9 to 12 of this Regulation, which must be easily visible, clearly legible and indelible.

12 of this Regulation, which must be easily visible, clearly legible and indelible.

Justification

In order to facilitate the business to business labelling of food enzymes.

Amendment 7
ARTICLE 9, PARAGRAPH 2

2. Where food enzymes are sold mixed with each other, the information provided for in paragraph 1 shall be given in respect of each food enzyme ***in descending order of its percentage by weight of the total.***

2. Where food enzymes are sold mixed with each other, the information provided for in paragraph 1 shall be given in respect of each food enzyme.

Justification

In order to facilitate the business to business labelling of food enzymes.

Amendment 8
ARTICLE 12, PARAGRAPH 1, POINT (G A) (new)

(ga) the expiry date beyond which use of the food enzyme would be inappropriate;

Justification

It is important for food producers to know the durability of food enzymes in order to ensure food safety.

Amendment 9
ARTICLE 18, PARAGRAPH 4, POINT (B A) (new)

(ba) The Commission may include in the Community list any food enzyme already authorised in Denmark, France or the United Kingdom, or already evaluated by the Joint Expert Committee on Food Additives, without requiring an application under paragraph 2 or the opinion of the Authority.

Justification

Food enzymes already evaluated by JECFA or already authorized in Denmark, France or the UK should be allowed a "fast track" procedure. This will alleviate the work of EFSA.

PROCEDURE

Title	Food enzymes		
References	COM(2006)0425 - C6-0257/2006 - 2006/0144(COD)		
Committee responsible	ENVI		
Opinion by Date announced in plenary	ITRE 5.9.2006		
Drafts(wo)man Date appointed	Erna Hennicot-Schoepges 4.10.2006		
Discussed in committee	28.11.2006	27.2.2007	27.3.2007
Date adopted	27.3.2007		
Result of final vote	+: -: 0:	47 0 0	
Members present for the final vote	Jan Březina, Renato Brunetta, Jerzy Buzek, Jorgo Chatzimarkakis, Giles Chichester, Silvia Ciornei, Pilar del Castillo Vera, Den Dover, Lena Ek, Nicole Fontaine, Adam Gierek, Norbert Glante, András Gyürk, Fiona Hall, Rebecca Harms, Erna Hennicot-Schoepges, Mary Honeyball, Ján Hudacký, Romana Jordan Cizelj, Anne Laperrouze, Eugenijus Maldeikis, Angelika Niebler, Reino Paasilinna, Atanas Papanizov, Francisca Pleguezuelos Aguilar, Miloslav Ransdorf, Vladimír Remek, Herbert Reul, Mechtild Rothe, Paul Rübig, Andres Tarand, Britta Thomsen, Radu Țîrle, Patrizia Toia, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis, Alejo Vidal-Quadras		
Substitute(s) present for the final vote	Alexander Alvaro, Philip Dimitrov Dimitrov, Avril Doyle, Robert Goebbels, Matthias Groote, Satu Hassi, Eija-Riitta Korhola, Esko Seppänen, Hannes Swoboda, Lambert van Nistelrooij		