DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 112(2) and (3) and (4)(c) of the Rules of Procedure

(D089496/03 – 2023/2726(RPS))

Committee on the Environment, Public Health and Food Safety

Member responsible: Michèle Rivasi B9-0000/2023

(D089496/03 – 2023/2726(RPS))

The European Parliament,

Commission Regulation (EU) No 231/2012 as regards the food additives nitrites (E 249-250) and nitrates (E 251-252) (D089496/03),


– having regard to Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 setting up a common authorisation procedure for food additives, food enzymes and food flavourings³, and in particular Article 7(5) thereof,

– having regard to the opinion delivered on 4 May 2023 by the Standing Committee on Plants, Animals, Food and Feed,

– having regard to Article 5a(3)(b) and Article 5a(5) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁴,— having regard to Rule 112(2) and (3), and (4)(c) of its Rules of Procedure,

- having regard to the report of the European Parliament Special Committee on Beating Cancer of 2 February 2022,

– having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,

Increase in colorectal cancer in Europe

A. whereas the number of new cases of colorectal cancer in the Union is approximately 340 000 per year, causing approximately 155 000 deaths per year⁵;

B. whereas in the 20-39 age group in Europe, the number of newly diagnosed cases of colorectal cancer rose by 6 % each year between 2008 and 2016⁶, confirming the trend of increasing colorectal cancer diagnoses in young adults observed in several industrialised countries⁷;

C. whereas the need to protect pregnant women and fetuses from exposure to nitrosated compounds, in view of the ability of certain nitrosated compounds to cross the placental

⁷ 'Le cancer colorectal en hausse chez les moins de 50 ans', Le Quotidien du médecin, 23 May 2019.
barrier\(^8\), and taking into account studies that have shown risk of paediatric brain tumour in offspring where mothers consumed cured meat during pregnancy\(^9\);

**Associations with nitrite and nitrate intakes from processed meat**

D. whereas for many years the chemical reactions between nitrate additives and meat constituents, in particular iron, in cured meats and charcuterie have been the focus of attention because of the risk of cancer; whereas, since 1968, alarms have been raised on the carcinogenicity of cured meat with nitrate and nitrite\(^{10}\), stressing the misleading arguments and position of the meat lobby\(^{11}\);

E. whereas the International Agency for Research on Cancer (IARC) of the World Health Organization (WHO), on the basis of more than 800 studies, classified in 2018 cured meats as proven carcinogens (Group 1: ‘definitely carcinogenic to humans’); whereas the IARC Working Group concluded that eating processed meat causes colorectal cancer\(^{12}\); whereas, along with alcohol, cured meats are the only food group to be classified in this category; whereas the WHO considers that each 50-gram portion of charcuterie consumed every day increases the risk of colorectal cancer by 18 %;

F. whereas the carcinogenicity of nitrated cured meats is linked to the transformation of nitrate additives in presence of the haem iron during the production process and during digestion; whereas nitrated additives react with meat components and degradation products, giving rise to so-called ‘NOC’ compounds: nitrosamines, nitrosamides, S-nitrosothiols and nitrosylated iron\(^{13}\);

G. whereas the danger posed by nitrated meat has been recognised by Union legislation and by the Commission, which has agreed that Denmark should not transpose Directive 2006/52/EC of the European Parliament and of the Council\(^{14}\) into national law with regard to the use of nitrates in certain meat products and that Denmark should maintain its current national legislation, which is more restrictive in this area; whereas, in 2010, the Commission acknowledged that ‘it is recognised that the presence of nitrates in meat products can give rise to the formation of nitrosamines, which have been found to be carcinogenic,’\(^{15}\); whereas, in 2021 the Commission therefore considered ‘that the request

\(^8\) ANSES Revised Opinion on the risks associated with the consumption of nitrates and nitrites, July 2022, p. 43.
\(^13\) ANSES Revised Opinion on the risks associated with the consumption of nitrates and nitrites, July 2022, p. 9, see also p. 16-17.
\(^15\) Commission decision of 25 May 2010 concerning national provisions notified by Denmark on the addition of nitrite to certain meat products (OJ L 247, 21.9.2010, paragraph 7.)
to maintain the notified measures can be temporarily accepted on grounds of protection of public health in Denmark’;16;

H. whereas studies published in November 2022 by the French Institute for Health and Medical Research (INSERM) concluded that consumption of foods made with nitrate additives is associated with an increased risk of cancer (with a cancer risk of up to +58 % in the highest consumers)17, cardiovascular disease18 and type 2 diabetes19;

I. whereas the 2022 assessment report on the risks associated with the consumption of nitrates and nitrites of the French health and safety agency (ANSES) concluded that the use of nitrate and nitrite in meat led to the formation of ‘genotoxic and carcinogenic’ nitroso compounds, in particular nitrosylated iron; whereas ANSES also stressed that exposure to nitrates and nitrites through consumption of processed meat products is associated with a risk of colorectal cancer; whereas ANSES also observed a suspected correlation between exposure to nitrate used in processed meat and the risk of breast and bladder cancers, and a suspected correlation between exposure to nitrite used in processed meat and the risk of pancreatic, stomach, esophageal, breast, bladder and prostate cancers20;

J. whereas the European Food Safety Authority (EFSA) released on 28 March 2023 the scientific opinion of the Panel on Contaminants in the Food Chain (EFSA CONTAM Panel) on the risks to public health related to the presence of N-nitrosamines (N-NAs) in food; whereas the risk assessment was confined to N-nitrosamines (without considering M-nitrosoamin and S-nitrosoamin), and especially to those 10 carcinogenic N-NAs occurring in food (TCNAs), i.e. NDMA, NMEA, NDEA, NDP, NDBA, NMA, NSAR, NMOR, NPIP and NPYR; whereas EFSA stated that N-NAs are genotoxic and induce liver tumours in rodents and that ‘Meat and meat products’ is the main food category contributing to TCNA exposure, ‘which raises a health concern’;21

K. whereas the use of nitrate additives, even at reduced doses, inhibits the natural maturation

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20 ANSES Revised Opinion on the risks associated with the consumption of nitrites and nitrates, July 2022, p. 21.
of processed meats\textsuperscript{22} by preventing the appearance of the natural pigment Zinc protoporphyrin (ZPP) which, in dry cured meats without nitrate additives, replaces the nitrosated pigment in a way that is advantageous to health\textsuperscript{23};

\textit{Production of cured meats without nitrate/nitrite additives}

L. whereas Article 6 of Regulation (EC) No 1333/2008 lays down several principles for an additive to be authorised, notably the existence of a technological need, with the Commission specifying that a food additive may only be authorised if ‘there is a reasonable technological need that cannot be achieved by other means’\textsuperscript{24};

M. whereas a gradual ban on nitrate additives is possible, and alternatives exist for all types of producers, while complying with sanitary marketing obligations protecting consumers against bacteriological risks;

N. whereas on a voluntary and non-binding basis, part of the agri-food sector has been able to implement added nitrite-free conservation solutions;

O. whereas, for example in France, industrial producers such as Herta, Fleury Michon, Brocéliande, Madrange (Cooperl group), Salaisons Roches Blanches and André Bazin, and the distributor brands of various chains have over the last three years introduced products without nitrate or nitrite additives;

P. whereas the Italian traditional dry-cured ham (Parma ham) shows a stable bright red colour that is achieved without the use of nitrite and nitrate; whereas, since 1993, its producers have been committed to using no food additives (nitrite, nitrate, coloring, artificial flavoring, etc.) and the sector, which includes 140 producers, delivers 8 to 9 million Parma hams every year, without creating health risks for consumers or increasing the number of cases of botulism;

\textit{Draft Commission regulation}

Q. whereas Article 14 of Regulation (EC) No 178/2002 provides that the evaluation of additives is to take into account the probable immediate, short-term and long-term effects; whereas the evaluation of additives is also to take into account the compounds to which the additives may give rise; whereas that Article also provides that the evaluation of additives is to take into account the probable cumulative toxic effects and the effects not only on the


\textsuperscript{24} Questions and Answers on Food Additives, European Commission, 14 November 2011 https://ec.europa.eu/commission/presscorner/detail/en/MEMO_11_783
consumers but also on their descendants;

R. whereas the 2023 EFSA opinion is incomplete, missing for example the impact of others reaction products of nitrosating agents, such as nitrosothiols and nitrosylhème, and omitting to include S-nitrosated and M-nitrosated compounds without any justification;

S. whereas carcinogenic nitro compounds appear as soon as nitrate additives are added to meat products - with heme nitrosylation occurring even at low doses - and experiments with artificial digesters have shown that nitrite addition increases the appearance of nitrosylated iron;

T. whereas the draft Commission regulation will have no real impact on the carcinogenicity of processed meats containing nitrate additives;

**Precautionary principle and cancer prevention**

U. whereas Article 191(2) of the Treaty on the Functioning of the European Union (TFEU) sets out the precautionary principle as one of the fundamental principles of the Union;

V. whereas Article 168(1) TFEU states that ‘[a] high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities’;

W. whereas Europe represents less than 10% of the world's population, but accounts for a quarter of all cancer cases. Cancer is the second leading cause of death in Europe, after cardiovascular disease, and the first cause of death by disease in children older than one year;

X. whereas about 40 % of cancer cases in the EU are preventable, the European Parliament stressed since 2021 in its BECA report that comprehensive preventive actions against cancer, through measures supporting the elimination or reduction of harm caused by modifiable risk factors, should be implemented across all European policies and funding programmes;

1. Opposes adoption of the draft Commission regulation;

2. Considers that the draft Commission regulation is not compatible with the aim and content of Article 6 of Regulation (EC) No 1333/2008, according to which a food additive may be included in the Union lists of approved food additives only if it does not, on the basis of scientific evidence available, pose a safety concern to the health of the consumer at the level of use proposed.

3. Recalls that Danish health authorities have been able to impose standards on nitrate additives in meat that are far more protective of consumers than those laid down in current Union legislation;

4. Calls on the Commission to withdraw the draft regulation and submit a new one to the committee, introducing a ban on the addition of nitrate and nitrite to processed meat, in

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order to prevent any risk of the appearance of carcinogenic nitro compounds, including nitrosols and nitrolyzed iron;

5. Proposes a 4-year transition period between the entry into force of the implementing regulation banning nitrated additives in cured meat products and its actual application;

6. Calls on the Commission, when drafting its new proposal, to, inter alia:
   
   - make sure to prevent any risk of carcinogenic nitro compounds, including nitrosols and nitrolyzed iron;
   
   - revise downwards the maximum limits of nitrated additives for cured meats during the transitional period, genuinely protective against the carcinogenic risk induced by carcinogenic nitro compounds caused by the addition of nitrite and nitrate to meat and processed meat;
   
   - provide for a suspension of the consumption of cured meat using a quantity of nitrated additives in excess in school, prison, hospital and medico-social catering services;

7. Calls on the Commission and Member States to rapidly support the demand for charcuterie products without nitrate additives, in particular through their policy of promoting agricultural products;

8. Invites the Commission to propose a fund to help artisanal producers of cured meats to finance the implementation of appropriate manufacturing processes and the adaptation of their production tools to enable the production of cured meats without nitrated additives;

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