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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.10.2008
COM(2008) 607 final

2006/0144 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding 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, Council Directive 2001/112/EC and
Regulation (EC) No 258/97**

AMENDING THE PROPOSAL OF THE COMMISSION pursuant to Article 250 (2) of the
EC Treaty

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1. INTRODUCTION

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the amendments proposed by the Parliament.

2. BACKGROUND

Date of transmission of the proposal to the EP and the Council (document COM((2006)0425 final – 2006/0144(COD):	28 July 2006
Date of the opinion of the European Economic and Social Committee:	25 April 2007
Date of the opinion of the European Parliament, first reading:	10 July 2007
Date of transmission of the amended proposal:	24 October 2007
Date of political agreement	17 December 2007
Date of adoption of the common position:	10 March 2008
Date of the opinion of the European Parliament (Second Reading)	8 July 2008

3. PURPOSE OF THE PROPOSAL

The Commission announced in the White Paper on Food Safety a proposal amending the framework Directive 89/107/EEC on food additives to lay down specific provisions in respect of food enzymes. In-depth assessment of the situation has led to the development of a specific proposal for food enzymes.

Currently the scope of Directive 89/107/EEC only covers enzymes used as food additives. The remaining enzymes are not regulated at all or are regulated as processing aids under the legislation of the Member States, which is diverse. With respect to safety, there is neither safety evaluation nor authorisation of food enzymes at Community level, except for those that are considered as food additives. The proposal aims to establish harmonised rules for food enzymes at Community level, in order to promote fair trading and effective functioning of the internal market and to ensure protection of human health and consumers' interests.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

The EP voted in second reading a consolidated text which contains a number of amendments to the text of the Common Position. The text is the result of negotiations between the Council, the EP and the Commission. All amendments are mainly of technical nature and are in line with the key principles of the initial proposal. The most important amendments concern the clarification of the interplay between the proposed Regulation on enzymes and Regulation (EC) No 1829/2003 on genetically modified food and feed. Two other amendments strengthen the precautionary principle and further clarify the principle of not misleading the consumer.

The Commission accepts all the amendments voted by the EP. The outcome of the second reading in the EP was very satisfactory.

5. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.