

# HILLMAN

## COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 489 final.

Brussels, 2 October 1975

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### PROPOSAL

for a Council Directive amending for the third time Council Directive No 65/66/EEC of 26 January 1965 laying down specific criteria of purity for preservatives authorized for use in foodstuffs intended for human consumption.

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(submitted to the Council by the Commission)

COM(75) 489 final.



Explanatory note

1. Council Directive N°64/54/EEC of 5 November 1963 (1) established a single list of preservatives in the Community authorized for use in foodstuffs intended for human consumption. The Directive also provides for the laying down of criteria of purity with which these preservatives must comply.
2. Those criteria of purity were developed and included in Council Directive N° 65/66/EEC of 26 January 1965 (2) modified by Council Directive N° 67/428/EEC of 27.6.1967 (3) and (4).
3. The present proposal for Directive relates to additives included in the 11th amendment (5) to Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption, and should be considered as completing this 11th modification.
4. The substances concerned are as follows :
  - sodium derivative of methyl p-hydroxybenzoate (E219)
  - potassium nitrite (E 249)
  - potassium propionate (potassium salt of propionic acid (E 283)).

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- (1) OJ N° 12 of 27.1.1964 p. 161/64
  - (2) OJ N° 22 of 9.2.1965 p. 373/65
  - (3) OJ N°148 of 11.7.1967 p. 10
  - (4) [ Proposal at Council ]
  - (5) [ Proposal at Council ]

Proposal for a Council Directive amending for the third time Council Directive N° 65/65/EEC of 26 January 1965 laying down specific criteria of purity for preservatives authorized for use in foodstuffs intended for human consumption.

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,  
Having regard to the Council Directive N° 64/54/EEC (1) of 5 November 1963 on the approximation of the laws of Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption, as last amended by Council Directive N° (2), and in particular Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas the Council Directive N° 65/65/EEC<sup>(3)</sup> last amended by the Council Directive N° (4) has laid down specific criteria of purity for the preservatives listed in the Annex to the Council Directive N° 64/54/EEC ; whereas that Annex was supplemented by the Council Directive N° which added the sodium derivative of methyl p-hydroxybenzoate, potassium nitrite and potassium propionate (potassium salt of propionic acid),

Whereas it is necessary to lay down specific criteria of purity for the three preservatives

HAS ADOPTED THIS DIRECTIVE

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(1) OJ N° 12 of 27.1.1964 p. 161/64

(2)

(3) OJ No 22 of 09.02.1965, p. 373/65

(4)

Article 1

The Annex to the Council Directive N° 65/66/EEC shall be amended as follows :

1. The following specification should be inserted between N° E 218 and E 220.

E 219 Sodium derivative of methyl p-hydroxybenzoate

Appearance :	White hygroscopic powder
Melting range of methyl ester :	The white precipitate formed by acidifying with hydrochloric acid a 10 per centem (weight/volume) aqueous solution of the sodium derivative of methyl p-hydroxybenzoate (using litmus paper as indicator) shall, when washed with water and dried at 80°C. for 2 hours, have a melting range of 125°-128°C.
Content :	Not less than 99.5 % of $C_8H_7O_3Na$ on a moisture free basis after vacuum drying in a sulphuric acid desiccator
Moisture :	Not more than 5.0 % (Karl-Fischer)
Sulphated ash :	40.0-44.5 % on a moisture free basis
(0.1 per centum solution in water)	
pH (0.1% solution in carbon dioxide free water) :	Not less than 9.7 and not more than 10.3
	Not more than 0.1 %
Salicylic acid :	Not more than 0.1 %

2. The following specification should be inserted between N° E 232 and N° E 250

E 249 Potassium nitrite

Appearance :	White or slightly yellow deliquescent granules
Content (min %) :	95 % after drying for 4 hours over silica gel.
pH (5 % solution in carbon dioxide - and ammonia - free water) :	Not less than 6.0 and not more than 9.0

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3. E 283 Potassium propionate (potassium salt of propionic acid)

Appearance :	White crystalline powder
Content :	Not less than 99 % after drying for 2 hours at 105°C.
Volatile substances :	Not more than 4 %, determined by drying for 2 hours at 105°C.
Water insoluble substances :	Not more than 0.3 %
Readily oxidisable substances :	No trace
Iron :	Not more than 30 mg/kg.

Article 2

Member States shall, if necessary within a period of one year following notification of this Directive, amend their laws in accordance with the provisions of this Directive and shall forthwith inform the Commission thereof.

The laws thus amended shall be applied in such a way as to :

- permit trade in products complying with the provisions laid down in this Directive as from 1 January 1977
- prohibit trade in products not complying with the provision laid down in this Directive as from 1 January 1978.

Article 3

This Directive is addressed to the Member States

Done at

For the Council

The President