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REPORT

drawn up on behalf of the Committee on the Environment,
Public Health and Consumer Protection

on the proposal from the Commission of the European
Communities to the Council (COM(84) 726 final -
Doc. 2-1531/84) for a directive on the approximation of
the laws of the Member States relating to modified
starches intended for human consumption

Rapporteur: Mrs S. MARTIN

By letter of 23 January 1985, the President of the Council of the European Communities requested the European Parliament, pursuant to Article 100 of the EEC Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a directive on the approximation of the laws of the Member States relating to modified starches intended for human consumption.

On 11 February 1985 the President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible.

At its meeting of 28 February 1985, the Committee on the Environment, Public Health and Consumer Protection appointed Mrs Simone MARTIN rapporteur.

On 10 March 1986 the President also referred this proposal to the Committee on Legal Affairs and Citizens' Rights for an opinion.

The committee considered the Commission's proposal and the draft report at its meeting of 24 February 1986.

At that meeting the committee decided by 10 votes to 2 with 3 abstentions to recommend to Parliament that it approve the Commission's proposal with the following amendments.

The committee then adopted the motion for a resolution as a whole by 11 votes to 2 with 2 abstentions.

The following took part in the vote: Mrs SCHLEICHER, vice-chairman and acting chairman; Mrs BLOCH VON BLOTTNITZ, vice-chairman; Mrs MARTIN, rapporteur; Mr AVGERINOS (deputizing for Mr BARRAL AGESTA), Mr V. GARCIA (deputizing for Mr NORDMANN), Mrs JACKSON, Mr LAMBRIAS (deputizing for Mrs BANOTTI), Mrs LENTZ-CORNETTE, Mr MERTENS, Mr MUNTINGH, Mr PEARCE, Mr V. PEREIRA, Mr ROELANTS du VIVIER, Mr SHERLOCK and Mrs SQUARCIALUPI.

The report was tabled on 11 March 1986.

The opinion of the Committee on Legal Affairs and Citizens' Rights will be published separately.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following amendments to the Commission's proposal and motion for a resolution together with explanatory statement

- Proposal for a Council Directive on the approximation of the laws of the Member States relating to modified starches intended for human consumption

Text proposed by the Commission
of the European Communities

Amendments tabled by the Committee on
the Environment, Public Health and
Consumer Protection

Title

Proposal for a Council Directive on
the approximation of the laws of the
Member States relating to modified
starches intended for human
consumption

1st, 6th and 8th recitals

Amendment No. 1

Title

Delete the word 'modified'

1st, 6th and 8th recitals

Likewise retain 'starches' and delete
the word 'modified'

Preamble unchanged

Amendment No. 2

New Article 1

This directive applies to native and
modified starches intended for human
consumption within the European
Community.

Article 1

For the purposes of this Directive, the term 'modified starches' means the products obtained by one or more chemical treatments of edible starches, which may have previously undergone a physical or enzymatic treatment.

Amendment No. 3

Article 2

For the purposes of this Directive,

- 'natural starch' means the carbohydrate consisting almost exclusively of D-anhydro-glucose units;
- 'physically modified edible starch' means an edible starch obtained by a physical treatment;
- 'enzymatically modified edible starch' means an edible starch obtained by treatment with an edible enzyme and with a dextrose equivalent (D.E.) rate of less than 3;
- 'chemically modified edible starch' means an edible starch obtained by one or more specific chemical treatments.

Articles 2, 3, 4, 5 and 6 become Articles 3, 4, 5, 6 and 7

Article 7

1. The labelling of modified starches shall consist solely of the following mandatory wording:

(a) the denomination under which the product is sold, consisting

- either of the term 'modified starch' followed by the reference letter of the product indicated in Annex 1,

Amendment No. 4

Article 8

1. The labelling of modified starches shall consist solely of the following mandatory wording:

(a) the denomination under which the product is sold, consisting

- either of the term 'natural starch' for native starches,

- or of the name of the modified
starch as given in Annex 1,

the constituents of a mixture being
designated individually.

- or of the term 'chemically modified
edible starch' for chemically
modified starches followed by the
reference letter of the product(s)
as given in Annex 1, or of the
name(s) as given in Annex 1;

- or of the terms 'physically or
enzymatically modified edible
starch'.

(b) the words 'for human
consumption' or an indication
of the specific intended use of
the modified starch;

(b) Delete

Article 7(c), (d), and (g) unchanged

Paragraphs 2 and 3 unchanged

Articles 8, 9, 10, 11 become Articles 9, 10, 11 and 12

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive on modified starches intended for human consumption

The European Parliament,

- having regard to the proposal from the Commission to the Council¹,
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 2-1531/84),
 - having regard to the report by the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Legal Affairs and Citizens' Rights (A 2-3/86),
 - having regard to the result of the vote on the Commission's proposal,
- A. having regard to the need to harmonize the denomination and characteristics of the various starches used in foodstuffs, in order to overcome any obstacles to trade and to improve the quality of foodstuffs containing starch,
- B. whereas starches are widely used in the preparation of foodstuffs,
1. Approves the Commission's proposal for a directive but takes the view that its field of application should not be limited to chemically modified starches;
 2. Proposes that the field of application of this directive be extended to cover native starches and physically and enzymatically modified starches;
 3. Approves the decision to limit to 5% the use of certain starches in foodstuffs intended for infants and young children;
 4. Notes that the various organizations, associations and unions concerned by this proposal for a directive have advocated a general directive;
 5. Approves the positive list of substances given in the annex to the proposal for a directive which are authorized for use in the chemical treatment of starches;
 6. Takes the view, however, regarding the use of propylene oxide that the proposed limit of 0.1 mg/kg of residual chlorhydrin is not justified in the Commission document, given that the Scientific Committee constituted by WHO and FAO has allowed a limit of 1 mg/kg;
 7. Instructs its President to forward to the Council and Commission, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolution.

¹ OJ No. C 31, 1.2.1985, p. 4

EXPLANATORY STATEMENT

1. Starch is a carbohydrate principally obtained from maize, potatoes, wheat and rice; about half is used by the foodstuffs industry but there are also various industrial applications. Its value to the foodstuffs industry stems mainly from its capacity to thicken when boiled.

2. Starch may be used exactly as it is extracted from the source product, and is then known as natural or native starch, or it may be processed in various ways, either by treatment with edible enzymes or by physical or chemical modification.

3. There are various national regulations governing the use of starches designed to ensure observance of certain standards to safeguard consumer health.

Regulation at European level is required because the differences in national regulations may affect the functioning of the Common Market, but also because it may be a means of improving the quality of foodstuffs.

4. The European Association of Starch Producers made an initial request for such a European regulation to the Commission of the European Communities back in 1967. In 1969 the Council of the European Communities decided to include starches in its programme of foodstuffs legislation.

In 1970 the Commission submitted an initial working document proposing definitions and standards for edible starches of all kinds (native, physically modified, enzymatically modified and chemically modified starches).

However, the Commission had concentrated its efforts from the start, in 1967, on chemically modified edible starches, and this explains why the Commission's proposal for a directive is solely concerned with modified starches intended for human consumption.

5. In fact the Commission has given no reason for its change of emphasis; other things being equal, it would be logical for the present proposal to cover all these products and not just a few of them; moreover, in the three Benelux countries the relevant regulations cover the entire range of edible starches and are being successfully applied.

The Commission states that there are no special problems with regard to native starches and that it is therefore unnecessary to harmonize national legislation in their case; it should be pointed out, however, that this category is the largest and that native starches form the raw material for the other types of edible starch. It is therefore possible that the Commission's proposal might in fact create barriers to trade and establish discrimination against the Benelux countries. Furthermore, it would be useful for edible starches to be clearly distinguished from non-edible starches, many of which have very different characteristics.

For the above reasons the Consultative Committee on Foodstuffs and the Economic and Social Committee have advocated a general directive. The fact that there is this agreement within the organizations made up of representatives from the industrial and commercial undertakings, the farming associations and the trade unions reinforces the doubt about the value of the Commission's decision to restrict the directive to modified starches.

6. With regard to these modified starches, the Commission has chosen to retain the principle of the positive list which limits the use of chemical substances to those authorized. In compiling this list the Commission has drawn on the work of the Scientific Committee on Food.

7. We fully welcome the Commission's caution in proposing a 5% limit on the quantity of starch contained in foodstuffs intended specifically for infants and young children and in prohibiting, at least for the time being, the use of propylene oxide in these foodstuffs. However, the Commission's proposal to limit the use of propylene oxide in other foodstuffs to a level at which the residual chlorhydrin does not exceed 0.1 mg/kg does not seem justified. The joint committee of experts from the FAO and WHO has in fact recommended a maximum of 1 mg/kg and this is the rate which has been incorporated in Belgian and British legislation.