



13 October 2021

(21-7750)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved:
2. Agency responsible: European Commission, Health and Food Safety Directorate-General
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Food products
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Draft Commission Regulation amending Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the food additive titanium dioxide (E 171) (Text with EEA relevance). Language(s): English. Number of pages: 8 https://members.wto.org/crnattachments/2021/SPS/EEC/21_6541_00_e.pdf https://members.wto.org/crnattachments/2021/SPS/EEC/21_6541_01_e.pdf
6. Description of content: The text removes the authorisation to use titanium dioxide (E 171) in foods based on the recent scientific opinion of the European Food Safety Authority (EFSA) concluding that titanium dioxide can no longer be considered as safe when used as a food additive. The text also includes a commitment to review the necessity to maintain titanium dioxide (E 171) or otherwise delete it from the Union list of food additives for exclusive use as a colour in medicinal products within three years after the date of entering into force of this Regulation. In order to allow for a smooth transition, the text lays down that foods that contain titanium dioxide (E 171) used in accordance with the rules applicable before the date of entry into force of the Regulation may be placed on the market until six months after that date. Those foods may then continue to be marketed until their date of minimum durability or 'use by' date.
7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8. Is there a relevant international standard? If so, identify the standard: <input checked="" type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): Codex General Standard for Food Additives – Codex Stan 192-1995 <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):

<p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard: The measure banning the use of titanium dioxide in foods follows up on the recent EFSA scientific opinion on titanium dioxide (E 171), which concluded that titanium dioxide can no longer be considered as safe when used as a food additive.</p>
<p>9. Other relevant documents and language(s) in which these are available: Safety assessment of titanium dioxide (E171) as a food additive (European Food Safety Authority, EFSA Journal 2021;19(5):6585, https://www.efsa.europa.eu/en/efsajournal/pub/6585 (available in English)</p>
<p>10. Proposed date of adoption (dd/mm/yy): Foreseen for January 2021.</p> <p>Proposed date of publication (dd/mm/yy): Foreseen for January 2021.</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): 20 days after publication in the Official Journal of the European Union (with transitional provisions for a six-month period).</p> <p><input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 12 December 2021</p> <p>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>European Commission DG Health and Food Safety, Unit D2-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(322) 295 4263 Fax: +(322) 299 8090 E-mail: sps@ec.europa.eu</p>
<p>13. Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>European Commission DG Health and Food Safety, Unit D2-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(322) 295 4263 Fax: +(322) 299 8090 E-mail: sps@ec.europa.eu</p>