Commission Regulation (EU) 2020/1419 of 7 October 2020 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of ascorbic acid (E 300) and citric acid (E 330) on white vegetables intended for further processing (Text with EEA relevance)

COMMISSION REGULATION (EU) 2020/1419

of 7 October 2020

amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of ascorbic acid (E 300) and citric acid (E 330) on white vegetables intended for further processing

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives[(1)], and in particular Article 10(3) thereof,

Whereas:

(1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in food and their conditions of use.

(2) That list may be updated in accordance with the common procedure referred to in Article 3(1) of Regulation (EC) No 1331/2008 of the European Parliament and of the Council[(2)], either on the initiative of the Commission or following an application.

(3) Pursuant to Annex II to Regulation (EC) No 1333/2008, ascorbic acid (E 300) and citric acid (E 330) are currently authorised for use as food additives in a wide variety of foods.

(4) On 17 December 2018, the Commission received an application for the modification of the conditions of use of ascorbic acid (E 300) and citric acid (E 330) contained in food category 04.1.2 ‘Peeled, cut and shredded fruit and vegetables’, to authorise the use of these substances on white vegetables intended for further processing, including heat treatment such as roasting, steaming or grilling, before they are consumed by the final consumer.

(5) When sliced, cut, chopped or diced, white vegetables are susceptible to enzymatic browning as the cells are broken down liberating enzymes, in particular polyphenol oxidases, from the tissues. Enzymatic browning can be controlled by dipping the vegetables into a water solution containing ascorbic acid (E 300) and citric acid (E 330) at a maximum concentration of 1 % for a couple of minutes. It results from the application that, the proposed use of these additives as antioxidants on unprocessed vegetables intended for further processing, including heat treatment, prior to consumption results in reduced food waste by increasing the overall food quality and the shelf-life of the treated vegetables, up to five days.

(6) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission has to seek the opinion of the European Food Safety Authority ('the Authority') in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health.

(7) On 6 May 2015, the Authority published a scientific opinion re-evaluating among others the safety of ascorbic acid (E 300) as a food additive. The Authority concluded that there is no safety concern for the use of ascorbic acid (E 300) as a food additive at the reported uses and use levels and there is no need for a numerical acceptable daily intake ('ADI') for ascorbic acid and its salts. Such a conclusion means that the substance is of a very low safety concern, there is reliable information for exposure and toxicity and there is a low probability of adverse health effects in humans at doses that do not induce nutritional imbalance in animals[(3)].

(8) The safety of citric acid (E 330) was evaluated in 1990 by the Scientific Committee for Food, which established its ADI as 'not specified'[(4)]. The term 'not specified' means that, on the basis of the available toxicological, biochemical and clinical data, the total daily intake of the substance, arising from its natural occurrence and its present use or uses in food at the levels necessary to achieve the desired technological effect, does not present a hazard to health. Pending the re-evaluation of citric acid (E 330) under the program for the re-evaluation of food additives laid down in Commission Regulation (EU) No 257/2010[(5)], the Commission considers that this safety assessment remains a valid basis for its decision for the same reasons why it considered then, on the basis of the criteria mentioned in recital 5 of that Regulation, that Citric acid (E 330) was of low concern and that its re-evaluation was not a high priority.

(9) Since the use of ascorbic acid (E 300) and citric acid (E 330) as antioxidants on prepacked white vegetables intended for further processing, including heat treatment, prior to consumption is not liable to have an effect on human health, it is not necessary to seek the opinion of the Authority.

(10) Therefore, Annex II to Regulation (EC) No 1333/2008 should be amended accordingly.

(11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) 2020/1419. (See end of Document for details)*

Done at Brussels, 7 October 2020.

For the Commission

The President

Ursula VON DER LEYEN