II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 6 April 1976

making a fifth amendment to the Council Directive of 23 October 1962 on the approximation of the rules of the Member States concerning the colouring matters authorized for use in foodstuffs intended for human consumption

(76/399/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [1],

Having regard to the opinion of the Economic and Social Committee [2],

Whereas the Council Directive of 23 October 1962 on the approximation of the rules of the Member States concerning the colouring matters authorized for use in foodstuffs intended for human consumption [3], as last amended by Directive 70/358/EEC [4], lays down a common list of colouring matters;

Whereas since the adoption of that Directive there have been significant developments in methods for the toxicological investigation of food additives and in particular in the evaluation and interpretation of biological and chemical information;

Whereas, in the light of present-day requirements regarding the safety in use of colouring matters, certain colouring matters should no longer be permitted for use in foodstuffs;

Whereas the prohibition so required should be given effect under conditions which ensure the protection of public health, while avoiding as far as possible all disruption of a technological and economic nature,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Annexes I and III to the Directive of 23 October 1962 are amended as follows:

The following colouring matters are deleted as from 1 January 1977:

E 103 Chrysoine S,

E 105 Fast yellow AB,

E 111 Orange GGN,

E 121 Orchil, orcein,

E 125 Scarlet GN,

E 126 Ponceau 6 R,

E 130 Anthraquinone blue (solanthrene blue RS),

E 152 Black 7984,

E 181 Burnt umber.

2. The marketing of foodstuffs containing one or more of the colouring matters listed in paragraph 1 shall be prohibited as from 1 January 1978.

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[1] OJ No L 79, 5. 4. 1976, p. 46.
[2] OJ No C 50, 4. 3. 1976, p. 8.
[3] OJ No 115, 11. 11. 1962, p. 2645/62.
[4] OJ No L 157, 18. 7. 1970, p. 36.