



2017/0000(RPS)

21.9.2017

DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 106(2), (3) and (4)(c) of the Rules of Procedure

on the draft Commission regulation establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food (D048379 – 2017/0000(RPS))

Committee on the Environment, Public Health and Food Safety

Member responsible: Elisabeth Köstinger

B8-0000/2017

European Parliament resolution on the draft Commission regulation establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food

(D048379 – 2017/0000(RPS))

The European Parliament,

- having regard to the draft Commission regulation establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food (D048379),
- having regard to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs¹, and in particular Article 4(4) thereof,
- having regard to the opinion delivered on 19 July 2017 by the Standing Committee on Plants, Animals, Food and Feed,
- having regard to Article 5a of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission²,
- having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
- having regard to Rule 106(2), (3) and (4)(c) of its Rules of Procedure,

General comments

- A. whereas food safety and consumer protection are of utmost priority;
- B. whereas acrylamide is a carcinogenic substance that forms from naturally present free amino acid asparagine and sugars during high temperature processing, such as frying, roasting and baking, particularly in potato-based products, cereal-based products, coffee and coffee substitutes;
- C. whereas control and limitation of acrylamide in food is based on Commission Recommendation 2013/647/EU of 8 November 2013 on investigations into the levels of acrylamide in food³; whereas, in accordance with that Recommendation, Member States are to carry out investigations on the production and processing methods used by food business operators if the acrylamide level found in a specific foodstuff exceeded the indicative values;
- D. whereas the draft Commission regulation specifies mandatory measures for food business operators to reduce the presence of acrylamide in food;
- E. whereas the Hannover Medical School conducted a study on the connection between the

¹ OJ L 139, 30.4.2004, p. 1

² OJ L 184, 17.7.1999, p. 23.

³ OJ L 301, 12.11.2013, p. 15.

acrylamide-concentration in blood and the nutritional behaviour; whereas the researchers of the Hannover Medical School could not determine a clear connection between the acrylamide-concentration in blood and the nutritional behaviour⁴;

- F. whereas the agricultural sector is elaborating measures to limit the presence of asparagine in grain and developing technical advice for farmers; whereas the presence of asparagine is largely - up to 50 % - resulting from weather conditions and therefore out of the control of farmers; whereas any mitigation measures to reduce the presence of acrylamide in food should not be shifted to primary production;
- G. whereas it is acknowledged that due to specific production methods, geographic or seasonal conditions or product characteristics for some food categories it is impossible to achieve the benchmark levels despite the application of all mitigation measures;
- H. whereas the determination of thresholds for acrylamide in foodstuff is not the most effective measure to guarantee consumer protection but will lead to excessive bureaucracy especially for small and medium-sized enterprises; whereas the most appropriate measure would be an information- and awareness campaign on the presence of acrylamide in certain foodstuffs, which addresses entrepreneurs as well as consumers;

Specific comments in relation to SMEs

- I. whereas the major part of the horeca industry consists of small and medium-sized enterprises (SMEs);
- J. whereas the draft Commission regulation sets out in its Annex II part A special mitigation measures to reduce the presence of acrylamide in food for food business operators which perform retail activities, and/or directly supply only local retail establishments;
- K. whereas the requirements for SMEs such as small restaurants, bakeries and local retailers are considered impractical and disproportionate;
- L. whereas Annex II part A to the draft Commission regulation lays down detailed information on how to produce different products, such as potato products, French fries or bread and other fine bakery wares which is considered burdensome and excessively prescriptive;
- M. whereas prescribing colour guides or detailed frying processes for French fries is disproportional and excessive and leads to dictating food business operators and consumers;
- N. whereas a regulation on mitigation measures to reduce the presence of acrylamide in food must not regulate which potatoes should be used by the food business operators because they still need the freedom to choose the respective ingredients for their recipes;
- O. whereas food business operators producing bread and other fine bakery wares are also disproportionately affected by the proposed mitigation measures in the baking process; whereas prescriptions on the colour endpoint of bread and sandwiches are excessive and

⁴ https://www.mh-hannover.de/46.html?&tx_ttnews%5Btt_news%5D=180&cHash=8de21499fd3035fc4e0456a014a4f38b

- undermine the freedom and responsibility of small bakeries and food business operators;
- P. whereas the draft Commission regulation is not paying attention to traditional cooking and baking methods and production of certain traditional dishes;
- Q. whereas the proposed measures could lead to even more burdensome implementation by Member States which will create further uncertainty for the companies and distortion of competition;
1. Opposes adoption of the draft Commission regulation;
 2. Considers that the draft Commission regulation fails to respect the principles of subsidiarity and proportionality;
 3. Points out that the determination of thresholds for acrylamide in foodstuff is not the most effective measure to guarantee consumer protection which moreover, leads to excessive bureaucracy;
 4. Calls on the Commission to withdraw the draft regulation and submit a new one to the committee by July 2018;
 5. Urges the Commission to establish an exemption for SMEs to avoid new bureaucratic requirements and to focus therefore on an information- and awareness campaign on the presence of acrylamide in certain foodstuffs, which addresses entrepreneurs as well as consumers;
 6. Instructs its President to forward this resolution to the Council, the Commission, and to the governments and parliaments of the Member States.