Order amending the Order of 19 October 2006 on the use of processing aids in the manufacture of certain foodstuffs has been published in the French Official Journal

In October 7th, 2017 an Order amending the Order of 19 October 2006 on the use of processing aids in the manufacture of certain foodstuffs has been published in the French Official Journal.

The Order has been notified through TRIS in 2016 under the reference 2016/460/F

The Order amends the conditions for the use of anti-foaming agents based on co-polymers comprising ethylene oxide and propylene oxide or dimethylpolysiloxane in yeast factories, potato products and sugar. The Order also amends the purity criteria and the list of co-formulants of anti-foaming agents and simplifies the list of processing aids subject to reassessment.

Of interest note the new deadline provided in article 1 à “If the required information is not delivered within this time limit, the particular processing aids shall be removed from this Annex” (the previous deadline was outdated > 30 June 2016). The new Order also removed the reference to the outdated order of 1997 regarding food additive in article 4 but strangely not in article 1.

Finally, the preamble provides further useful insights:

“This decree is part of the work to simplify national legislation on processing aids and bring it into line with European Union law. For the record, Decree No. 2011-509 of 10 May 2011 sets up two procedures: a procedure for authorising employment after the Anses has given its opinion for processing aids likely to present a health risk and a simple declaration procedure to the Directorate-General for Competition, Consumer Affairs and Fraud Control for other processing aids. The consultation of the Order of 19 October 2006 as amended by this Order will enable operators to have access to all processing aids likely to be used in the manufacture of foodstuffs following authorisation for use. Consultation of the list of declared processing aids, accessible on the website of the Directorate-General for Competition, Consumer Affairs and Fraud Control, will enable operators to have access to all processing aids likely to be used following the declaration of use.”

Another Order has been published on 10 October 2017 which also has been notified through TRIS last year (2016/673/F). In particular, the order authorizes eleven new enzymes by mutual recognition and extends the authorizations of four enzymes that are already authorized. It also amends the maximum residual Absorbable Organic Halogen (AOX) content in fruit and vegetables destined for processing or sold pre-prepared and washed in chlorinated water and the maximum acrylamide monomer content of polyacrylates used as anti-scaling products in sugar production.

However, the Decree amending the Decree No 2011-509 of 10 May 2011 laying down the conditions for the authorization and use of processing aids that can be used in the manufacture of foodstuffs for human consumption has not been published yet. This modification should bring more substantive change regarding the residue issue and the authorization/ declaration procedures. (See ANSES opinion on this: here)