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Sent: Friday, July 19, 2019 4:06 PM

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**Subject:** BTO: Meeting with BEUC, CIEL, EEB, ECOS, Foodwatch France, HEAL, and SAFE on the permitted food additive titanium dioxide (E 171), 11 July 2019

Dear colleagues,

Please see below for a BTO to last week's meeting with CSOs on titanium dioxide.

Many thanks to all involved.

Kind regards,

[REDACTED]

**BTO: Meeting with BEUC, CIEL, EEB, ECOS, Foodwatch France, HEAL, and SAFE on the permitted food additive titanium dioxide (E 171), 11 July 2019**

Participants:

SANTE:

- Anne Bucher (AB); Sabine Juelicher, Dir E (SJ); [REDACTED] E2 [REDACTED]; [REDACTED] E2; [REDACTED] E2; [REDACTED] D1; [REDACTED] 01

Civil Society Organisations:

- [REDACTED] BEUC, the European Consumer Organisation;
- [REDACTED] BEUC, the European Consumer Organisation;
- [REDACTED], Foodwatch France;
- [REDACTED], European Environmental Bureau (EEB);
- [REDACTED] Centre for International Environmental LAW (CIEL) [REDACTED] Environmental Health Program;
- [REDACTED] Safe Food Advocacy Europe (SAFE);
- [REDACTED], European Environmental Citizens' Organisation for Standardisation;
- [REDACTED] Chemicals and Health, Health and Environmental Alliance (HEAL).

### Summary:

Fruitful exchange with a number of civil society organisations who had expressed concern about the permitted food additive titanium dioxide (E 171). SANTE took the opportunity to inform interlocutors about elements in the EFSA opinion on the proposed amendment of the EU specifications for titanium dioxide providing better characterisation of this substance and recommending inclusion of the particle size parameters and some amendment of the definition in the specifications for titanium dioxide, which was due to be published shortly after the meeting. SANTE likewise informed that a reflection is still ongoing as regards the reaction to the French emergency measure and the way forward at EU-level. Civil society organisations emphasized that risk management should also be political decisions and called for a suspension of the titanium dioxide authorisation as a food additive. SANTE also explained upcoming procedural steps as foreseen by the applicable legislation.

### Details:

- AB emphasized that SANTE is fully on the same line as the assembled organisations when it comes to the priority of protecting public health. We are ready to act whenever EFSA confirms safety concerns. On titanium dioxide, we are keeping pace with the developing science, which is also why we gave a mandate to EFSA to look into the studies cited by the French authorities in 2018, the 2019 ANSES opinion on the risks associated with the ingestion of titanium dioxide, and the new data on particle size distribution. EFSA has generally confirmed its previous assessments that it is safe and as regards some data that should still be collected. The 2018 EFSA Guidance document on nanotechnology should apply. As regards the FR measure, Member States have unanimously expressed that EFSA should continue to be the cornerstone of risk assessment in the EU. A reflection on the next steps is taking place.
- [REDACTED] stressed that in her perception uncertainties about the safety persist. Furthermore, titanium dioxide is an additive of questionable benefit to the consumer. The message to citizens should be that the EU, above all other concerns, keeps them safe.
- [REDACTED] noted that the issue was not merely a French concern. Even the industry itself is providing feedback that it is not dependent on titanium dioxide and is making progress on producing food without its use. The best signal would be an EU-level measure based on the precautionary principle. If the EU were to abrogate the FR measure, it would be a signal that Eurosceptics in France can exploit. In the inverse case, she undertook to communicate positively in support of the Commission.
- [REDACTED] noted that there was no fundamental disagreement between EFSA and ANSES.
- SJ elaborated that a process has been initiated to compile the missing data. Now that the nano guidance is available we should look at the knowledge on titanium dioxide in that light. We are not reflecting on appropriate risk management from a perspective of interests/concerns for the industry.
- [REDACTED] noted that there are also concerns about exposure via inhalation of workers during production processes.
- [REDACTED] summarised that a national authority concluded that it was not sufficiently safe for use, the industry is saying that it can proceed without the substance. There should be nothing stopping the EU from acting accordingly.

- [REDACTED] noted that industry informed the Commission that reformulating products to exclude titanium dioxide is costly and therefore problematic for SMEs.
- [REDACTED] noted that a temporary suspension would give time to the industry to adapt.

/end