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Ministry of Rural Affairs and infrastructure
Minister for Rural Affairs

European Commission
Directorate-General for Health and
Food Safety
Commissioner Kyriakides
1049 Brussels
Belgium

On the proposed non-approval of smoke flavourings

Dear Commissioner Kyriakides,

I am writing to you regarding the upcoming risk management decisions on eight smoke flavourings that are currently approved for use in food. It is my understanding that the European Commission is considering non-approval for the above-mentioned flavourings due to the recent opinion(s) of the European Food Safety Agency (EFSA). The Government of Sweden is committed to sound science, a high level of consumer protection as well as an innovative and competitive food industry, hence this letter to you.

I would like to express the deep concerns of the Swedish Government regarding the consequences if the possibility of using smoke flavourings disappears. While the Government of Sweden fully understands the rationale behind the position taken by the European Commission and in no way challenge the opinions made by EFSA, I would like to draw your attention to some critical issues that need to be considered.

A high level of health protection is at the core of the European food legislation. As smoke flavourings are produced from smoke which has been subjected to fractionation and purification processes, the use of smoke flavourings is generally considered to be of less health concern than the use of traditional smoking by burning wood.

If the approvals of smoke-flavourings are not renewed, it is highly likely that manufacturers will be forced to use traditional smoking, and thereby

reversing the positive public health effects of the transition to smoke flavourings.

The Government of Sweden therefore considers it to be very unfortunate that the risk management decisions foreseen by the Commission do not seem to lead to safer or healthier food, but on the contrary has the potential to lead to increased levels of substances harmful to human health, such as polyaromatic hydrocarbons, in the food processing plants, in foods and the environment. Consequently, the result of a non-renewal would be negative for the overall public health.

The Government of Sweden believes that EFSA should be tasked with making a comparative risk assessment between traditional smoking and smoke flavourings. Such a risk assessment could then form the basis for discussions on how to view and regulate smoke flavourings in a manner consistent with the aim of mitigating risks from smoked food.

Sweden and several other Member States have a longstanding history of using smoke to preserve food, this has led to a consumer preference for the taste and texture of smoked food products. This holds especially true for meat and fish products. As smoke flavourings are considered a healthier option for smoking products and is also considered to be the best available technique (Commission Implementing Decision (EU) 2019/2031 of 12 November 2019 establishing best available techniques (BAT) conclusions for the food, drink and milk industries, under Directive 2010/75/EU of the European Parliament and of the Council), food manufactures in Sweden and other Member States have worked for many years to shift from traditional smoking towards the use of smoke flavourings. In Sweden, about 80 percent of all smoked meat products and 20 percent of all smoked fish products are treated with smoke flavourings. Because of this, and the fact that the manufacture of these products most likely will go back to traditional smoking in the case of a non-renewal, The Government of Sweden believes that special consideration should be given to meat and fish products in the risk management procedure.

A non-approval of the smoke flavourings will have substantial impact on Swedish food producers by forcing reformulations of products, reconstruction and refitting of production facilities and new environmental permits from local and regional authorities, potentially leading to increased

use of resources and higher costs, and thereby decreasing the current resilience of food production. Therefore, in the case of a non-renewal, it is imperative that a sufficient transitional period is granted for the industry to make the necessary above-mentioned adjustments. A transitional period of at least 5-10 years would be needed depending on the circumstances of the food business operator.

While understanding the rationale for the line taken by the Commission following the EFSA-opinions on the smoke flavourings the Government of Sweden urge the Commission to put the scientific assessments by EFSA in a wider public health context and carefully consider the effects of a non-renewal of the authorisations for smoke flavourings by providing a realistic and workable transitional period. Moreover, the Government of Sweden would also like to urge the Commission to task EFSA with making a comparative risk assessment between traditional smoking and smoke flavourings to facilitate future discussions on policy options.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Peter Kullgren', with a long, sweeping horizontal line extending to the right.

Peter Kullgren

