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Q&A on phosphate additives in kebab meat

Why the Greens/EFA group is objecting to the Commission's proposals

On Wednesday 13 December, the European Parliament will vote on an objection to Commission proposals that would allow phosphates to be used as additives in products such as doner kebabs. The objection, from Greens/EFA MEP Bart Staes and the S&D's Christel Schaldemose, is designed to protect public health. The following Q&A should help clarify some of the misconceptions regarding the Commission's proposals.

What is the current EU law on phosphates and kebabs?

The use of phosphate additives in “frozen vertical meat spits” — which covers foods like doner kebabs and gyros — **is not currently authorised under EU law.**

The European Commission is trying to change this. Their draft regulation would allow the use of phosphoric acid, phosphates and polyphosphates as food additives in these kind of meat preparations.

So you're not trying to ban kebabs then?

Our objection to the Commission's proposals is nothing to do with wanting to ban kebabs. **We want people to be able to enjoy all their favourite foods, but without the addition of potentially dangerous and unnecessary food additives.**

Just as we are fighting to lower the maximum sugar levels permitted in baby food, and against contaminants in food contact materials, our objection is intended to protect citizens' rights when it comes to food.

What are the Greens/EFA group's grounds for objecting?

Under EU law, food additives may only be authorised where the use is safe, technologically justified and does not mislead consumers. The addition of phosphate additives in vertical frozen meat spits does not meet these criteria.

There are serious concerns over the negative health impacts of phosphate additives. Recent studies

have associated high phosphorus intake with increased mortality. Long-term high-phosphorus diets may impair bone health both in chronic kidney disease patients and in the healthy population.

A May 2017 study found that excess phosphorus intake may cause harm in individuals with kidney disease and suggested that mandatory labelling of phosphorus on food products may be an important health intervention.

EFSA is currently re-evaluating the use of phosphate additives in all food. This work is due to be completed by the end of next year. **It would be foolish to allow further authorisations until EFSA has completed its investigation.**

The objection is in support of consumer rights. Phosphate additives can be used for fraudulent purposes – owing to their water-binding properties they can be used to increase the weight of meat thereby intentionally misleading consumers and selling water for the price of meat.

Contrary to claims there are no alternatives to phosphates, some ingredient manufacturers offer phosphate-free solutions for kebabs.

If they are already banned, why is there widespread use in some countries?

The meat industry has for a long time been using phosphate additives in kebabs, and on a large scale, despite this not being allowed under EU law. There seem to be a number of reasons for this.

A 2017 Commission report on official controls of food additives found that Member States face significant challenges in verifying that food additives are used in accordance with EU legislative requirements and that within some Member States, competent authorities and food business operators had different, and sometimes incorrect, interpretations of applicable EU requirements relating to meat preparations and meat products

Unlike meat preparations, which still look like fresh meat, meat products have undergone processing such that they no longer have the characteristics of fresh meat. A greater number of food additives are allowed in meat products than meat preparations.

Some countries seem to be categorising kebab meat as a ‘meat product’, rather than a ‘meat preparation’ or misinterpreting the law in other ways. The draft Commission regulation clearly states that vertical meat spits are meat preparations.

The fact that the law in force may have been misinterpreted, and in some cases simply flouted, is not a good reason for legalising this use now. **There needs to be more efforts to make the current rules enforceable.**

What are the next steps?

If the Parliament rejects the Commission proposal, the current legal situation will remain - phosphate additives will still be un-authorised for use in frozen vertical meat spits. The EFSA re-evaluation of phosphate additives will then give us a clearer idea of whether phosphate additives are completely safe or not. While we wait for the EFSA opinion, Member States need to do a better job of enforcing the current EU law.

If the Parliament votes against the objection, then the use of phosphate additives in vertical meat spits will

be allowed, despite there being question marks over the health impacts.

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