

# Which requirements must natural colours, flavours and thickeners comply with to be allowed on the European market?

Last updated:

05 December 2017

Natural food additives must be safe for human consumption and packaged safely to enter the European market. As an exporter, you must have a food safety management system in place to become successful in Europe. Buyers demand proof of your product's safety and proof that your product meets their quality requirements before they will buy from you. Certification for compliance with ISO 22000 or higher standards is strongly recommended.

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## 1. Which legal and non-legal requirements must your product comply with?

### Food safety - traceability, hygiene and control

Food safety is a key issue in European Union food legislation. The [General Food Law](#) is the legislative framework for food safety in the European Union.

To guarantee food safety and to allow appropriate action in cases of unsafe food, food products must be traceable throughout the entire supply chain. Every company must have a traceability system in place with information on the supplier of each lot of products. When all companies do so, the product becomes traceable from the consumer back to the producer.

Important for the control of food safety hazards throughout the whole supply chain is the implementation of food safety management based on the principles of [Hazard Analysis Critical Control Points \(HACCP\)](#). HACCP planning consists of consecutive steps to:

- identify food safety hazards;
- determine how you can control them (so-called Critical Control Points or CCPs);
- set corrective measures for when you cannot guarantee the safety of the foods produced.

Also important is subjecting food products to official controls. If European companies or authorities find out that the safety of your product cannot be guaranteed, they will take the product off the market. Your product will then be registered in the [European Union's Rapid Alert System for Food and Feed](#). In most cases, European importers will not pay for the product or demand their money back. Additionally, a food safety issue will damage your reputation on the market.

### Tips:

- Establish a traceability system and keep samples for each of your suppliers to trace the origin of a product in the event that a problem with quality occurs.
- Keep your facilities clean by setting strict operating procedures, such as cleaning schedules for your processing equipment. See the Codex Alimentarius for [detailed information on food hygiene](#).
- Search the [European Union's Rapid Alert System for Food and Feed \(RASFF\) database](#) to see examples of withdrawals from the market and the reasons behind these withdrawals.

## Contamination

To be safe for consumption, products must not be contaminated by:

- physical elements (e.g. plastic residues, metal and dirt);
- chemical elements (e.g. pesticides);
- biological elements (e.g. bacteria).

The European Union has set Maximum Residue Levels (MRLs) for pesticides ([EC Regulation 396/2005](#)) and heavy metals ([EC Regulation 1881/2006](#)) in food products. Products containing pesticides or heavy metals above the permitted level will be withdrawn from the market.

In contrast to fresh and dried products, microbiological (e.g. bacteria) and mycotoxic contamination (e.g. mould) are not a common problem in trading natural food additives.

### Tips:

- Refer to the European Union [MRL database](#) to identify the Maximum Residue Levels (MRLs) that are relevant to your product.
- See the [European Union's Export Helpdesk](#) for more information on MRLs.
- Reduce the amount of pesticides on your product by applying [Integrated Pest Management](#) (IPM). IPM is an agricultural pest control strategy which uses complementary strategies, including chemical management.

## Adulteration

Adulteration (the intentional addition of undeclared substances to a product) is a major problem for the trade in natural food additives. In many cases, the product becomes useless to the buyer. It will no longer have the properties to perform the required function, while purification is often impossible or too expensive. Strict controls are in place within Europe to detect potential adulterants. Particularly paprika extracts and turmeric extracts are frequently adulterated with dyes such as Sudan red. Suppliers have to pay for the damage, they will not be paid for their products and lose business with the buyer.

European buyers generally send samples to laboratories for analysis. These laboratories continuously improve their techniques for the detection of adulterants. If there are undeclared substances in your product, it is very likely that they will be detected.

### Tips:

- Only purchase raw materials from suppliers that you can trust. Explain to suppliers that mixing their materials with other materials is not allowed.

- When you add any substances to your product (for preservation, for example), notify your buyer by clearly indicating this aspect in your product documentation.

## Classification, Labelling and Packaging (CLP)

Some natural ingredients such as certain essential oils are classified as hazardous. To ensure safety during transport and handling, special packaging must be used and warning labels must be included on the packaging.

Additionally, packaging must comply with [general European legislative requirements](#). The goal of these requirements is to protect the environment and prevent risks to the health of consumers.

### Tips:

- See our [manual on preparing a Technical Data Sheet](#) for practical steps to classify your product and identify labelling requirements. In this manual, you can also find out how to make Material Safety Data Sheets (MSDS). The MSDS should contain information on possible dangerous characteristics of chemical substances in your product.
- Find out whether your product is classified as hazardous in the [classification and labelling database](#) on the website of the European Chemicals Agency (ECHA). This database is a useful tool to determine which symbols and warning phrases must appear on your label.
- Refer to the United Nations [Globally Harmonised System \(GHS\)](#). The GHS was adopted by the European Union for more information on classification, labelling and packaging.
- Use recyclable packaging materials to reduce the negative impact on the environment of the trade in your product.

## Substances allowed in the European Union

The European Union strictly regulates which substances are permitted in foods to ensure the safety of those foods for consumers. [Regulation 1333/2008](#) sets rules for the use of additives (e.g. colours, thickeners) and [Regulation 1334/2008](#) sets rules for the use of flavourings (e.g. essential oils).

European custom authorities will not allow food products on the market if they contain undeclared substances (i.e. adulterants), or additives or flavourings which are not permitted in the European Union.

### Tips:

- Check the European Union list of flavouring substances to see whether your flavouring is included. You can find this list in Annex 1 of [Regulation 1334/2008](#).
- See the [guidance documents on the EC Flavourings Regulation](#), issued by the European Flavour Association (EFFA).
- E numbers indicate approval by the European Union. To obtain an E number, the additive must pass a safety evaluation by the European Food Safety Authority (EFSA). For an overview of E numbers, refer to the Annex of [Regulation 1333/2008](#).

## Conditions for the use of extraction solvents

In the European Union, the use of extraction solvents in production of foods is regulated in order to ensure the safety for consumers.

[Directive 32/2009](#) establishes a list of permitted solvents, conditions for the use of solvents and maximum residue limits.

European buyers usually verify compliance to the rules by checking information on extraction solvents and residue levels in your Certificate of Analysis.

### Tips:

- Only use permitted extraction solvents. Keep residues of extraction solvents below maximum residue limits. Provide information on the extraction solvents and residues in your Certificate of Analysis.
- See our [manual on preparing a Technical Data Sheet](#) for using Certificates of Analysis.
- For [more information on extraction solvents used in foodstuffs](#), see the European Union Export Helpdesk.
- See our study of the European market for oleoresins in food for more information on [permitted solvents for oleoresin extraction](#).

## Food extracts for colouring of additive-free foods

The European demand for additive-free foods is growing. This trend implies a shift from colours classified as food additives to food extracts with colouring properties. Food extracts with colouring properties are not classified as food additives by European legislation and are suitable for use in additive-free foods. Food suppliers must know this legal distinction to produce food extracts with colouring properties and to benefit from the demand for additive-free foods.

The European Union published guidance notes on the classification of food extracts with colouring properties. These notes explain the [legal distinction between food extracts with colouring properties and food additives](#). In essence, extracts obtained from foods through “non-selective extraction” are classified as food extracts with colouring properties. The guidance notes explain “non-selective extraction” as a type of extraction that preserves the characteristic properties of the food. The characteristic properties are colour properties, aromatic properties and nutritional value.

When you extract the colouring pigments from a food and the extract does not retain its characteristic properties, the guidance notes consider this type of extraction as “selective extraction”. The extract is then classified as a food additive.

For example, dried spinach and spinach concentrate are classified as food extracts with colouring properties, as they have retained their characteristic properties. When the green pigment chlorophyll is “selectively extracted” through several processing steps, the product is classified as food additive E140. Similarly, curcuma oleoresin is classified as a food extract with colouring (and flavouring) properties. When curcumin is “selectively extracted”, the product is classified as food additive E100.

### Tip:

- Promote the possibility for food manufacturers to use food extracts with colouring properties in additive-free foods. This option will interest food manufacturers who aim to respond to the current consumer demand for additive-free foods.

## Liability

In the event that a product on the European market was unsafe for consumption and a European consumer was

injured, the consumer can hold the supplier responsible for the injury.

When the supplier is an importer in Europe and is able to prove that you did not comply with agreements on product safety, the importer can pass the claim on to you. You will then have to reach an agreement with the consumer on compensation.

### **Tips:**

- Only accept contractual requirements when you are certain that you can meet these requirements. Otherwise, you can be held liable for injuries that might result from unsafe products.
- Obtain insurance for product liability when the risk of liability claims is large. This approach is the most relevant when you supply directly to retailers or when you have a valuable brand or reputation. Otherwise, European importers will often be held liable.
- See our [guide for dealing with liability claims from European buyers](#).

## **Convention on Biological Diversity/Access and Benefit-Sharing**

The goal of the Nagoya Protocol of the Convention on Biological Diversity (CBD) is to make sure that the benefits of genetic resources and traditional knowledge are shared in a fair way. This process is called Access and Benefit-Sharing (ABS). ABS is especially important for wild-collected ingredients.

The Nagoya Protocol provides guidelines for accessing and utilising genetic resources and traditional knowledge. Many countries have signed this protocol and adopted it into national law. If your home country did so as well, you need to comply with these national laws. European companies are now legally required to follow those laws that are in force in your country regarding access and benefit-sharing.

You will need to find out whether the use of the genetic resources comes within the scope of the ABS legislation in the country of origin. If it does, European companies will need evidence that the entire upstream supply chain in the country of origin complies with those national laws.

You will only need to comply with requirements on ABS if you use the genetic resource for Research and Development (R&D); for example, if you research the genes of an ingredient or its biochemical composition. Anyone who carries out R&D, including the buyer downstream in your supply chain, has ABS obligations under the Nagoya Protocol. They will be responsible for compliance with ABS but might ask you for help. The national legislation of the country of origin also defines the specific meaning of R&D or “utilisation” of genetic resources.

### **Tips:**

- Determine the status of your ingredients in the context of ABS legislation in your country.
- Develop a procedure to check whether ABS applies to every new genetic resource or traditional knowledge that you want to develop. This procedure includes knowing the local context and officials. Have a look at the [CBD website](#) for more information, which also includes country profiles.
- Demonstrate that you comply with CBD principles and offer security to partners/buyers. Contact local officials for more information.

## **2. Which additional requirements do buyers often have?**

### **Food Safety Certification**

Food safety is a top priority in all European food sectors. As a result, you can expect European buyers to request

extra guarantees in the form of certifications. Many European buyers require certification of a food safety management system based on HACCP.

The most commonly used food safety management systems in Europe are:

- [Food Safety System Certification](#) (FSSC 22000);
- [British Retail Consortium](#) (BRC);
- [International Food Safety](#) (IFS);
- [Safe Quality Food](#) (SQF).

FSSC 22000 is the most relevant for suppliers of ingredients which will be further processed. BRC, IFS and to a lesser extent SQF require more advanced management systems. They are particularly relevant for suppliers of end products to retailers.

### Tips:

- Check with your buyers whether they require certification of food safety management and see which food safety management systems they prefer.
- Refer to the Global Food Safety Initiative (GFSI) for [more information on internationally recognised food safety management systems](#).
- On ITC's Standards Map, you can [identify food safety management standards relevant to your product](#). You can also use ITC's Standards Map to review the main features of the selected standards and codes and compare the requirements side by side.

## Kosher and Halal certification

Although the actual demand for Kosher and Halal products is small, the demand for certification of compliance with these religious standards is increasing. Kosher and/or Halal certification allows food manufacturers to use their ingredients in Kosher and Halal products.

European buyers aim to prevent exclusion from these markets. As a result, many European buyers now require Kosher and/or Halal certification.

Halal certification for gum arabic requires cleaning procedures according to Islamic law. Alcohol may not be used in the processing. Certified Halal products must also be kept separated from "impure" products, such as products from pigs. A unified standard for Halal does not yet exist. Select a certifier accredited by the [World Halal Council](#) for recognition of your certificate in Europe.

### Tips:

- Only obtain Kosher or Halal certificates when your European buyer specifically asks for it.
- See the website of the World Halal Council to [find a certifier nearby](#).
- See our fact sheet for more information about Halal certification for [gum arabic on the European market](#).

## Documentation

European buyers appreciate well-structured product and company documentation. Buyers generally require a Certificate of Analysis (CoA), a detailed Technical Data Sheet (TDS) and Safety Data Sheets (SDS).

A CoA contains analytical data from the specific lot delivered, which is in compliance with:

- data mentioned in the TDS;
- the pre-shipment sample that was approved by the buyer;
- contractual agreements with the buyer.

A TDS contains:

- a product description;
- product classification;
- quality analysis;
- information on applications;
- certificates.

A SDS contains:

- a product description;
- classification;
- hazard identification;
- information on safety measures.

In addition, buyers will often send their suppliers a questionnaire with questions about the set-up of the supplier (self-audit) or ask them to become a member of the [Supplier Ethical Data Exchange](#) (SEDEX).

### Tip:

- Prepare a Technical Data Sheet (TDS) and Safety Data Sheet (SDS). Make sure that these sheets are available if you should receive a request of a buyer. See our workbook for more information on [preparing a TDS and SDS for natural ingredients](#).

## Samples

After reviewing your documentation, European buyers usually request samples. With these samples, they want to verify whether your product meets their specifications and whether the products comply with European Union legislative requirements.

Buyers will send samples to laboratories for analysis. Often, they will share the results with you when your product does not meet expectations.

The analysis of samples will determine the suitability of your product for use in certain applications. This process is only effective when your samples are representative of your actual product. To this end, you must take care that your samples represent what you can deliver in terms of quantities, quality and lead time.

### Tips:

- Always send lot samples which are fully representative of the product quality that you can deliver at the time required by your buyer.
- In your contract with the buyer, only agree on terms which you can meet.
- See our [workbook on preparing a TDS and SDS for natural ingredients](#) for more information on sampling.

## Payment and delivery terms

European buyers require strict compliance with contract terms. In addition to quality, product specifications and prices, contracts usually include payment and delivery terms as well.

Payment terms define how risks are divided between you and your buyer. European buyers take as little risk as possible with new suppliers. They expect new suppliers to accept payment after delivery and inspection of the product.

When the value of an order that you receive is high, you can consider using a third-party inspection company. After inspection on your site, the inspection company will seal the containers and provide a guarantee to the buyer that the product meets requirements. [SGS](#) and [Intertek](#) are examples of inspection companies.

Delivery terms define who is responsible for arranging the transport of your products to the buyer. European buyers specialised in imports often take responsibility for arranging transport from your port to their location. Buyers who focus on other activities, such as processing, often leave arranging transport to you as an exporter.

### Tips:

- Take more risk and offer more attractive payment terms to new buyers than to existing buyers. Payment after receipt and inspection of products is most favoured with buyers. Payment in advance poses the most risk to buyers.
- Familiarise yourself with [methods for payment in international trade](#), such as Letters of Credit.
- Familiarise yourself with international delivery terms ([INCOTERMS](#)). Examples are Free On Board (FOB) or Cost and Freight (CFR).

## Sustainability

More and more European buyers (especially those in western and northern European countries) want to source in a more sustainable way. This trend is a response to the concerns of European consumers about the social and environmental impact of their purchases.

Most European buyers require their suppliers to be transparent about social conditions in their business and about the environmental impact of their production. They need information on business practices and appreciate measures to improve social conditions or to reduce your environmental impact.

### Tips:

- Use the [Farmer Self-Assessment](#) tool (introduced by the Sustainable Agriculture Initiative) to assess how sustainable the farmers are from which you buy.
- Include information on the sustainability of your business in your company documentation and promotional materials. In agreement with your buyer, you can also [join the Supplier Ethical Data Exchange \(SEDEX\)](#) to provide transparency about your company's sustainability.

## 3. What are the requirements for niche markets?

### Certification of Organic production

A small but growing group of European buyers require third-party certification of sustainability. Particularly Organic certification is becoming more important. Organic food additives are produced and processed by



natural techniques (e.g. crops rotation, biological crop protection, green manure, compost).

To market food products in the European Union as organic, you need to implement organic farming techniques and have your facilities audited by an accredited certifier. These requirements are specified in [European Union Regulation 834/2007](#).

Examples of certifiers with offices around the world:


- [Kiwa BCS Öko Garantie](#) (BCS);
- [Institute for Marketecology](#) (IMO);
- [Ecocert](#).

### Tips:


- Organic certification can provide access to interesting niche markets. However, be aware that only few European buyers are willing to pay a significant price premium for organic food additives.
- For a [full overview of certification schemes in the sector](#), you can consult the ITC Standards Map.
- See our studies of specific products (for example, essential oils) for [more specific information on certification](#).

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