

To: Lead Food Officers
cc: REHIS, COSLA, SFELC

18 Nov 2016

FSS/ENF/16/017

Dear Colleague

Use of MSG and Phosphates in Doner Kebab type Products.

The alleged widespread use of the food additives Monosodium glutamate E 621 (MSG) and phosphates ((E 338-452) in rotating spit doner kebab type products has recently been drawn to our attention.

The kebabs would be considered as meat preparations (food category 8.2 in Annex II of Regulation 1333/2008) in which the direct addition of MSG or phosphates is not permitted.

However, in the case of a compound food, where the MSG is present in the kebab due to its permitted use in one of the ingredients (i.e. the seasoning) used in the kebab, the MSG would be legally present in the final kebab under the carry-over provision¹ in Regulation (EU) No. 1333/2008.

The issue of phosphates has been subject to recent interpretation discussions at Working Group negotiations in Brussels. Although it has been confirmed that these are not currently permitted in kebabs, there was some confusion as to their legality in these types of products. The view of the UK and of some other Member States during these discussions was that they were permitted. Most Member States have recently agreed to an amendment to the additives legislation which will, in due course, permit phosphates in doner kebab type products.

Given that MSG in doner kebabs is likely to be legally present by way of its use in seasonings, and that food additives legislation is likely to be amended within the next few months to permit the use of phosphates in doner kebabs, local authorities are recommended to take no enforcement action if either of these additives are found in doner kebabs. There are no safety issues arising from the use of either of these additives in doner kebabs.

¹ The presence of food additives in compound foods may be accepted by virtue of the carryover principle which is laid down in Article 18 of Regulation 1333/2008.

Local authorities should note, however, that other Member States may take a different view until the regulatory amendments are introduced and may wish to raise this with food business operators.

Please do not hesitate to contact me if you have any queries on this issue.

Yours sincerely

A handwritten signature in black ink that reads "J Angus". The signature is written in a cursive style with a large initial "J" and "A".

Jacqui Angus
Senior Enforcement Manager
Food Standards Scotland