This opinion is that of the Standing Committee on Plants, Animals, Food and Feed and has not been adopted or endorsed by the European Commission. The views may not in any circumstances be regarded as stating an official position of the Commission. This opinion is intended to assist national authorities in the application of Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law.

OPINION OF THE STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED TO ACHIEVE A HARMONISED IMPLEMENTATION OF THE EU LEGISLATION

Subject: **Clarification as regards the status of "buffered vinegar"**

Vinegar is the liquid produced from acetic acid fermentation of liquids (e.g. wine, cider) or other substances from agricultural origin (e.g. fruits, cereal grains). Vinegar has a pungent smell, typical acidic taste and pH usually ranging between 2-3,3. It is commonly used for its organoleptic properties as a characteristic food ingredient in vegetable salads, pickling liquids, sauces, marinades or as a condiment on its own. Acetic acid (also used as a food additive E 260) when diluted with water (4-30 % by volume) could be used as a food or food ingredient in the same manner as vinegars from agricultural origin. In some Member States, only vinegars obtained from the fermentation of agricultural products are allowed to be named 'vinegars', whilst in others diluted acetic acid could also be marketed as 'vinegar'.

The use of vinegar-based products, which are buffered and/or dried, has been reported. Such products are called "buffered vinegar", "dried vinegar" or "vinegar powder", or just "vinegar" (thereinafter referred to as "buffered vinegar"). The pH of buffered vinegar is adjusted, to be higher than 4,9, for example, through the use of or addition of additives such as sodium carbonates (E 500) and/or sodium hydroxide (E 524) or similar acidity regulators or following a fermentation with specifically selected food cultures. This is to optimise its preserving effect and avoid an effect on the taste and colour of the foods to which buffered vinegar is added.

Buffered vinegar has only a very slight vinegar flavour or no strong distinctive flavour at all (sometimes called "a balanced flavour profile"). It is sold business-to-business as an ingredient for certain foods such as meat, poultry and fish preparations/products. Buffered vinegar is used in particular for its preserving effect in the food due to the subsequent formation of sodium acetates (E 262) or other additives.

The Committee [unanimously] concluded the following:

- Buffered vinegar is considered neither as a substance normally consumed as food in itself, nor as being used as a characteristic ingredient of food.

- In line with the Standing Committee statement on the use of plant extracts rich in constituents performing a technological function of 17 September 2018[1], the Committee considered that the use of "buffered vinegar" where it delivers a technological effect in the foods to which it is added represents an intentional use as a food additive.

- Consequently, such use is deemed to meet the definition of a food additive and so it shall comply with the conditions set out in the food additive legislation (including relevant specifications) and be labelled in accordance with the appropriate provisions for labelling of food additives.

- Only food additives listed in the Union list may be placed on the market as such and used in foods under the conditions of use specified therein. Inclusion on the list of approved food additives may be requested by means of an application made in accordance with Regulation (EC) No 1331/2008[2].

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[1] https://ec.europa.eu/food/sites/food/files/safety/docs/reg-com_toxic_20180917_sum.pdf

[2] Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings, OJ L 354, 31.12.2008, p. 1.