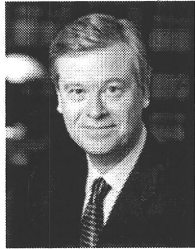




Consumer Voice

Newsletter on food safety, health and consumer policy
from the European Commission's Health and Consumer Protection DG

December 2002, Edition 10/02



◀ David Byrne,
Commissioner for
Health and Consumer
Protection

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Full support from Council for Commission Health and Consumer initiatives

A most successful end to the year

It has been a very successful end to 2002. We are very encouraged at the level of support given to so many important Commission initiatives by the Council of Ministers and the European Parliament, and very pleased indeed that Enlargement is to go ahead.

In this edition we look particularly at the results of December's Health and Consumer Council that gave the green light to many proposed measures - most notably on those targeting tobacco control.

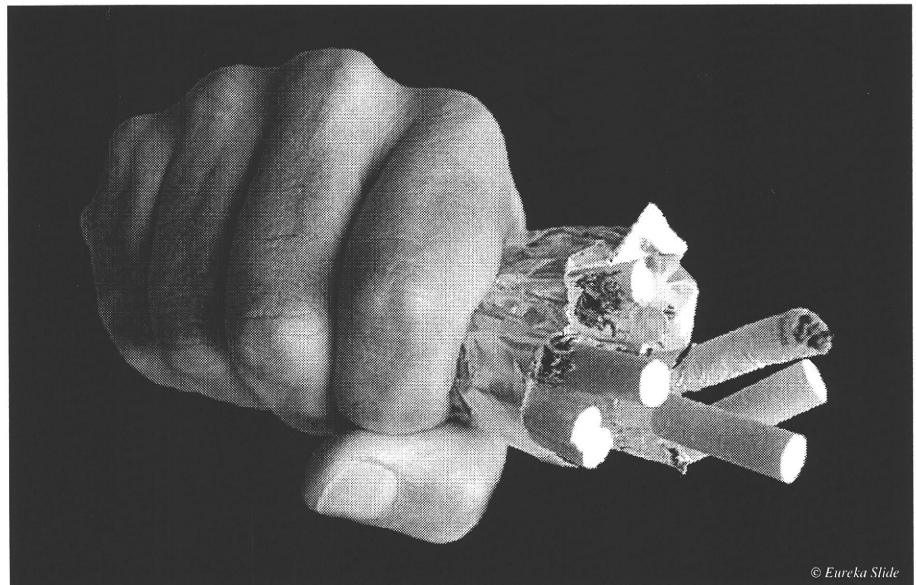
The combined effect of this and of the food safety measures agreed in the two end of year Agriculture Councils, has been to give a tremendous boost to all of my areas of responsibility: food safety, animal welfare, health and consumer protection. I can say with confidence that consumers can hope for considerable improvements in all of those areas throughout the EU as we move into 2003.

I would like to wish all of our readers the compliments of the festive season and a happy, healthy and prosperous New Year.

Hard on the heels of a most successful Agriculture Council in November that moved a number of food safety initiatives from the Commission into the fast track, December's Health and Consumer Affairs Council did the same for a number of Health and Consumer Policy initiatives. Extremely pleased with the results, Commissioner David Byrne warmly congratulated Danish Minister for the Interior and Health, Lars Løkke Rasmussen on a very successful Council Presidency.

The Commissioner has made no secret of his personal and political commitment to fighting the tobacco epidemic and the strong line on tobacco control taken by Council in the meeting meant a great deal to him. The qualified majority reached on the Directive on the advertising and sponsorship of tobacco products puts this initiative into the fast track. With the November endorsement of the European Parliament behind the initiative as well, the proposal for a Directive will shortly be formally adopted and should be implemented by 31 July 2005 at the latest. Council also adopted the Commission proposal for a Council Recommendation on the prevention of smoking and on initiatives to improve tobacco control.

"This united position of the Council, the Parliament and the Commission sends a clear signal to the public and will hit the tobacco industry where it hurts," the Commissioner said. "In the EU alone, Big Tobacco needs to recruit 500,000 new smokers each year to



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■ Taking the initiative on international tobacco controls

Over the last year, the Commission has been at the forefront of an international push to achieve tobacco control on a world-wide level. As well as a number of legislative initiatives at EU level, the Commission launched a high profile international media campaign targeting young people and exhorting them to "say no" to the habit. The Commission has also taken an active part in the World Health Organisation (WHO) Convention on tobacco control and plans a round table conference on tobacco control and development next February together with the WHO and the World Bank and with the participation of the Member States.

■ Court of Justice confirms validity of Tobacco Products Directive

On 10 December, the European Court of Justice confirmed that harmonisation of the Internal Market is the proper legal basis for the Tobacco Products Directive and that the harmonisation measures in the Directive are proportionate. Confirmation of the validity of this important legislative measure, adds strength to other EU tobacco control measures, as it toughens up the rules on the manufacture, presentation and sale of tobacco products.

replace the ones who die prematurely due to smoking-related diseases. The measures agreed by the Council of Ministers, will make it more difficult for them to do that."

Preparing for future Health Policy proposals

There is much to discuss at a Council meeting and although adoption of proposals is an extremely important part of the proceedings, it is also important to keep abreast of developments on initiatives that are still being reviewed by technical experts. The Danish Presidency presented a progress report on the Commission proposal on the quality and safety of human tissues and cells. The Greek Minister for Health and Social Welfare, Kostas Stefanis, said the proposal will be one of the priorities for the Greek Presidency that will begin in January. The European Parliament is also looking at the proposal and hopes to present its first reading by Easter.

Also under discussion was a wide range of issues linked to patient mobility and health care in the Internal Market. This is an initiative at a very early stage of development and still in the process of reflection. Commissioner David Byrne spoke of the preparatory meetings that have been held and said there had been a great deal of interest in participation in this process. At this stage, what has developed is a structure to work around based on three themes. Thinking should focus on European-wide cooperation to enable better use of resources, on information requirements for patients, professionals and policy-makers and on access to and quality of care.

"Member States are responsible for their own healthcare systems," the Commissioner said, "and will remain so. It is not the aim of this reflection process to change that, but it is an opportunity to reflect and to collectively consider the full range of issues affecting health and health systems at European level and to see how best to respond. European Health systems share many common aims, whilst remaining distinctively national. This reflection process is intended to work towards a common vision of Europe should help to support and foster those aims."

Discussion is at an even earlier stage on obesity, but this has been identified by Council as an area for concentrated attention. Council places great importance on the serious impact obesity in individuals - particularly in children - has on health, social and economic factors. Urging the Commission to reinforce its efforts to prevent and combat obesity and to support the Member States in their efforts to prevent it, Council asked the Commission to take prevention of obesity into account in all relevant EU policies, particularly within the new public health action programme.

To find out more about Commission initiatives against smoking, go to: http://europa.eu.int/comm/health/ph/programmes/tobacco/index_en.htm

To find out more about tissues and cells, go to: http://europa.eu.int/comm/health/ph/others/human_tissues/index_en.htm

Council welcomes and supports the Consumer Policy Strategy

A Council Resolution, welcoming and supporting the Consumer Policy Strategy 2002 – 2006 was adopted. The Strategy is based on three key objectives: a high common level of consumer protection, effective enforcement of consumer protection rules and the involvement of consumer organisations in EU policies. These are to be implemented through a set of actions to be carried out over the next five years. The Resolution calls on

the Commission to implement the Strategy and its objectives and named areas it wishes to prioritise.

Commissioner David Byrne assured Council, that the Commission will concentrate on the priority actions highlighted in the Resolution. These include integrating consumer concerns into other EU policies and activities, to fully consider consumer interests in services of general interest, to develop actions related to product safety the safety of services and the reinforcement of consumer confidence in e-commerce.

Pilot EEJ-Net project a success

The Commissioner also presented an initial assessment on the functioning of the EEJ-Net, launched as a one-year pilot project in October 2001. This is developing well and has so far dealt with over 1100 complaints from across the EU, Iceland and Norway. Offering a service for consumers to help them resolve cross-border complaints over businesses that supply faulty goods or services, it directs consumers to national Alternative Dispute Resolution (ADR) schemes and provides practical support such as translation of complaint forms. "I am very pleased with the way the EEJ-Net is developing," the Commissioner told Council. Council also was pleased and agreed with the Commission proposal to extend the pilot phase until the end of March 2003.

Keeping policy makers informed

A seminar called "Consumers and the Market in Europe – developing a knowledge base" was held in Copenhagen in November, jointly organised by the Commission and the National Consumer Agency of Denmark and the UK Department of Trade and Industry. The seminar was aimed at developing a common knowledge on consumer statistics, with a view to informing policymakers on the formulation and evaluation of policy regulations and related initiatives.

"This event was the launch of what in my view should be an ongoing process of co-operation between all interested parties from public authorities to consumer and business organisations at EU, national and local level," Commissioner Byrne informed Council. The conclusions he presented to Council emphasise the importance of having sufficient and readily accessible information on consumers available to public authorities, at both EU and national level, so that they can react quickly and effectively to market problems that might arise.

To find the EU Consumer Policy Strategy, go to: http://europa.eu.int/eur-lex/pri/en/oj/dat/1999/l_034/l_03419990209en00010007.pdf

To find out more about the EEJ-Net, go to: http://europa.eu.int/comm/consumers/policy/developments/acce_just/index_en.html

New labels to warn of possible allergens in food ingredients

A growing number of people suffer allergic reactions to certain types of food. For those who are allergic to wheat or eggs for example, it is easy enough to banish those products in a natural whole form from their diet. But it is not easy to be certain that the allergens will not turn up in some pre-prepared food or alcoholic product – for example, sulphite in some wines, beers or ciders - or in sauces that might contain ingredients such as eggs, milk or mustard.



▲ Consumer Policy Strategy aims to reinforce consumer confidence in e-commerce.

Allergic reaction can be severe

The proportion of the population with food allergies or food intolerance is increasing all the time.

According to allergy associations, 8% of children and 3% of adults are affected.

New allergens are emerging over time and can cause illnesses of a chronic nature.

Allergic reaction can occur from any of these normal food ingredients and will have to be detailed on the label:

- Cereals containing gluten and products thereof
- Crustaceans and products thereof
- Eggs and products thereof
- Fish and products thereof
- Peanuts and products thereof
- Milk and dairy products (including lactose)
- Nuts and nut products
- Celery and products thereof
- Mustard and products thereof
- Sesame seeds and products thereof
- Sulphur dioxide and sulphites at concentrations of more than 10mg/kg or 10 mg/litre

To find the Directive, go to: http://europa.eu.int/eur-lex/en/com/pdf/2001/en_501PC0433.pdf

These are normal ingredients and for most people cause no problem at all. But for the unlucky few who could suffer an allergic reaction from one of them, a simple ingredient can become a health risk. The Commission proposal for an amendment to the Food Labelling Directive, would make sure that all of the ingredients contained in a food product must be shown on the label. This would protect the consumer from unwittingly eating a product that could cause an allergic reaction.

Food production has become a very complex and sophisticated process. We all use fast food and compound food products as part of our daily lives. It is hard to imagine having to forgo these conveniences in case the product might have been cooked with a nut oil (nuts, particularly peanuts are another potential trap for allergy sufferers), or might contain gluten or crustaceans in some form. Yet that is what allergy sufferers have to do now. How much better for them to be able to look at the label and see immediately what allergens are contained in the product.

There was no argument on the need for this amendment either in the European Parliament (EP) or in Council. Instead, discussion centred around which allergens to list, how to avoid creating endless long lists of all ingredients – allergic and non allergic – on every product and how to avoid repetition. These aspects had already been taken into account by the Commission when drafting the proposal and considerable effort was given to look at the question in a way that aimed to avoid absurdities or over-regulation and to prevent the risk of labelling becoming too complex. The technical constraints associated with food production were also taken into account.

Discussion in the EP fine-tuned the proposal, increasing the level of information for the consumer and making it possible for Council to reach its common position in November. That common position sets the Directive on course for a final agreement in the EP early in the new year. Member States will have one year to transpose the Directive into their national legal systems and once this process is complete, manufacturers will have a further year to make sure their labels fully comply with the rules. Consumers can expect to see the concrete results of this Directive on their shelves in 2005.

The international dimension

The Transatlantic Consumer Dialogue (TACD) is a highly influential forum, made up of US and EU consumer organisations that develop and agree policy recommendations to the European Commission and the US Government. In Washington from 29 - 30 Oct for the 5th meeting of the TACD, 75 consumer representatives from the EU and the US put the case for the consumer to the European Commission and US Government officials.

The main issues on the agenda for discussion were genetically modified organisms (GMOs), antibiotics in animal and food production, e-commerce and consumer protection and EU-US regulatory co-operation and transparency. World Trade Organisation (WTO) negotiations were not forgotten and in this instance, discussions covered, trade in services and access to medicines. Viewing these issues from an international dimension ensured a highly charged and lively debate on all sides.

Commissioner David Byrne expressed his whole-hearted support for the TACD saying it provides a vital “reality check” for politicians and officials involved in EU/US relations.

To find out more about TACD, go to: <http://www.tacd.org>

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