

European Communities

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DOCUMENT 46/77

Report

drawn up on behalf of the Committee on the Environment, Public Health and
Consumer Protection

on the proposal from the Commission of the European Communities to the
Council (Doc. 515/76) for a directive on the approximation of the Laws of the
Member States relating to materials and articles containing vinyl Chloride
monomer and intended to come into contact with foodstuffs

Rapporteur: Mr J. EVANS

PE 48.102/fin.

By letter of 12 January 1977 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 100 of the EEC Treaty to deliver an opinion on the proposal from the Commission of the European Communities for a Council directive on the approximation of the laws of the Member States relating to materials and articles containing vinyl chloride monomer and intended to come into contact with foodstuffs.

The President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and the the Committee on Economic and Monetary Affairs for its opinion.

On 19 January 1977, the Committee on the Environment, Public Health and Consumer Protection appointed Mr EVANS, rapporteur.

It considered this proposal at the meetings of 15 February and 30 March 1977.

At its meeting of 30 March 1977 it unanimously adopted the motion for a resolution and explanatory statement.

Present: Mr Ajello, chairman; Mr Jahn and Lord Bethell, vice-chairmen; Mr Evans, rapporteur; Mr Alber, Mr Baas, Mrs Cassamagnago Cerretti, Mr Didier, Mr Edwards, Mr Guerlin, Mr Emile Müller, Lord St. Oswald, Mr Plebe, Mr Prescott (deputizing for Lady Fisher of Rednal), Mr Spicer, Mr Spillecke and Mr Veronesi.

The opinion of the Committee on Economic and Monetary Affairs is attached.

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The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive on the approximation of the laws of the Member States relating to materials and articles containing vinyl chloride monomer and intended to come into contact with foodstuffs

The European Parliament,

- having regard to the proposal from the Commission to the Council¹;
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 515/76);
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Economic and Monetary Affairs (Doc. 46/77);
1. Notes that this proposal is for a specific directive provided for in the framework directive adopted by the Council on materials and articles intended to come into contact with foodstuffs².
 2. Welcomes the Commission's proposal as a further step towards better protection of the health of the consumer.
 3. Hopes that the Commission will propose the other directives provided for in the framework directive with the same rapidity.

¹OJ No C 16, 21.1.1977, p.8

²OJ No L 340, 9.12.1976, p.19

EXPLANATORY STATEMENT

1. On 23 November 1976 the Council adopted a Directive on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs. This Directive laid down general principles on the basis of which differences between the laws of the Member States might be eliminated by means of specific Directives. The European Parliament gave its opinion on the Commission's proposal in November 1974 in a report drawn up by Mrs ORTH¹. The report was largely favourable to the Directive and did not raise any points that would be relevant when examining this present Directive.
2. Article 3 of the Framework Directive provides that the Council shall 'adopt by means of Directives special provisions applicable to certain groups of materials and articles (specific Directives).' The Directive we are at present examining comes under this heading of specific Directives as it applies to one substance only i.e. vinyl chloride monomer.
3. VCM is a gas which is used for the production of PVC, one of the most commonly used plastics for food packing. Research has shown that inhalation of VC has produced liver cancer in animals, and this type of cancer has also been noted in persons working for a long period in the industry.
4. In 1975 the Scientific Committee for Foodstuffs stated that all possible steps should be taken to reduce exposure to VC and that the levels of vinyl chloride in PVC should be reduced as much as possible. Vinyl chloride should not be detectable in food or drinkable water by an agreed method.
5. The aim of this Directive then is to set limits for the vinyl chloride content in materials coming into contact with foodstuffs as well as for the presence of vinyl chloride in the foodstuffs themselves. Limits are set for the VC content in foodstuffs in order to reduce the probability of the migration of VC from the wrapping material into the foodstuff.

¹Doc. 321/74

6. The limits are set out in Annex I of the proposed Directive. 1 mg/kg is allowed in materials and articles coming into contact with foodstuffs and 5 mg/kg for materials and articles which will not be used in packaging or containing liquids for human consumption.

The limit set for the presence of VC in foodstuffs is 0.050 mg/kg.

7. The procedure is also provided for in the Directive to adapt the Directive to technical progress in a rapid manner. This procedure is laid down in Article 4 which in turn refers to Article 10 of the Framework Directive. The Standing Committee for Foodstuffs will deliver its opinion on proposed technical amendments; if the opinion of the committee concurs with that of the Commission, the Commission may adopt the measures. It is only when the measures envisaged are not agreed to by the committee or if the committee delivers no opinion, that the Commission submits a proposal to the Council.

8. Your committee finds that this proposal is quite satisfactory from the point of view of public health. It has therefore no particular criticisms or comments to make.

OPINION OF THE COMMITTEE ON ECONOMIC AND MONETARY AFFAIRS

Letter from Mr NYBORG, draftsman of the opinion, to the Chairman of the Committee on the Environment, Public Health and Consumer Protection

Luxembourg, 4 April 1977

Dear Mr Chairman,

At its meeting of 1 April 1977 the Committee on Economic and Monetary Affairs considered the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating to materials and articles containing vinyl chloride monomer and intended to come into contact with foodstuffs on which it had been asked for its opinion.

The principles for the approximation of the laws of the Member States concerning materials and articles intended to come into contact with foodstuffs were laid down in a framework directive adopted by the Council at the end of last year. The present directive relates to an implementing directive based on the general principles laid down in the framework directive.

The fixing of limits at Community level for the vinyl chloride content of materials and articles coming into contact with foodstuffs will ensure that competition is not distorted by divergent national legislation. The Committee on Economic and Monetary Affairs, which has always used its best efforts to have equal conditions of competition created in order to make the common market a reality, therefore gives its approval to this proposal from the Commission.

Please regard this letter as the committee's opinion on the proposal for a directive (Doc. 515/76) adopted unanimously¹.

Yours sincerely,

(Signed) K. NYBORG
Draftsman

¹Present: Mr Glinne, chairman, Mr Notenboom, vice-chairman, Mr Nyborg, draftsman, Lord Ardwick, Lord Bruce of Donington, Mr Cousté, Mr Haase, Mr van der Mei, Mr Ripamonti, Mr Spinelli, Mr Würtz (deputizing for Mr Prescott), and Mr Zeyer.

