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(preservatives)

Working Documents

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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. 121/76) for a directive for a 12th amendment to Council Directive 64/54/EEC on the approximation of the laws of the Member States concerning the/preservatives authorized for use in foodstuffs intended for human consumption

Rapporteur: Mr H.E. JAHN,
Vice-chairman

1.2.2

By letter of 20 May 1976 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 to the Council for a directive for a 12th amendment of Council Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption.

The President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible.

On 16 June 1976 the Committee on the Environment, Public Health and Consumer Protection appointed Mr Jahn rapporteur.

It considered this proposal at its meeting of 16 June 1976.

At the meeting of 16 June 1976 the committee adopted the motion for a resolution and the explanatory statement unanimously.

Present: Mr Jahn, vice-chairman and rapporteur;
Mr Bourdellès (proxy vote), Mr Didier (proxy vote),
Lady Fisher of Rednal, Mr Giraud, Mr Hartog (proxy vote),
Mr Härzschel (proxy vote), Mr Kofoed (proxy vote),
Mrs Kruchow (proxy vote), Mr Rivierez, Mr Spicer (proxy
vote) and Mr Springorum (proxy vote).

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A

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 for a 12th Amendment to Council Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs, intended for human consumption

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(76) 202 final),
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 121/76),
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 177 /76),
1. Refers to its resolutions of 14 May 1970¹ and 18 January 1974² on the use of thiabendazole in the surface treatment of citrus fruits and bananas;
 2. Regrets that the Commission is still unable to submit a definitive proposal on the use of thiabendazole since continual provisional extensions of the period of approval could engender uncertainty in mind of the consumer, especially as the retail trade is not required to give the consumer any visible indication that fruit sold has been treated with this preservative;
 3. Reiterates, therefore, its urgent request that the Commission first consult qualified experts and then conduct a conclusive examination of the question of the technical necessity and the admissibility from the health point of view of the use of thiabendazole with the lowest possible residual content and that it draw appropriate proposals up as soon as possible;

¹ OJ No. C 65, 5 June 1970, p. 44

² OJ No. C 11, 7 February 1974, p. 47

4. Feels, in view of the importance of this matter for health protection, unable to deliver an opinion on the definitive use of thiabendazole in foodstuffs unless allowed sufficient time to consider the subject, and therefore urges the Commission and the Council to begin the consultation procedure no later than the end of 1977 so that Parliament need not work against time;
5. Approves the Commission's proposal with the reservations mentioned above.

EXPLANATORY STATEMENT

1. The Council Directive of 30 March 1971¹ making a sixth amendment to the directive of 5 November 1963² (basic directive) on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption added thiabendazole (chemical description: 2-(4'-thiazolyl)-benzimidazole - EEC No. E 233). Its use, however, is governed by the following conditions:

'(a) only for surface treatment of:

- citrus fruits,
- bananas;

(b) at the time when the fruit is placed on the market;

(i) the residual content per kg of fruit must not exceed:

- citrus fruits 6 mg
- bananas 3 mg

(ii) the treatment to which the fruit has been subjected must be indicated:

- in the wholesale trade, in the invoices and on the external surface of the packaging by the words: 'Preserved with thiabendazole'.
- in the retail trade, some visible indication giving the consumer clear information;

(c) the authorization to use thiabendazole shall be limited to fruit placed on the market before 1 January 1974'.

2. The Council directive of 22 July 1974 making a tenth amendment to Directive No. 64/54/EEC³ extended the use of thiabendazole until 1 July 1976. Moreover, the conditions of use were partly modified to read as follows:

'as regards citrus fruit:

- in the wholesale trade, the treatment shall be indicated on the invoices and on one external surface of the packaging by the words: 'Treated with thiabendazole';
- in the retail trade, Member States may require a visible indication ensuring beyond doubt that the consumer is made aware that the fruit has been treated.'

¹OJ No. L 87, 17 April 1971, p. 12

²OJ No. L 12, 27 January 1964, pp. 161/64

³OJ No. L 208, 30 July 1974, p. 25

3. The object of the present proposal from the Commission for a twelfth amendment of the basic directive is to extend the period during which the use of thiabendazole as a preservative is permitted in the surface treatment of citrus fruits and bananas from 1 July 1976 to 1 January 1979 under the same conditions as those contained in the tenth amending directive.

4. The Commission justifies its proposal by stating that, from a toxicological point of view, the use of thiabendazole on the surface of citrus fruit in quantities leading residual contents of 6 mg per kg of whole fruit is admissible for the time being. All uses of thiabendazole leading to its presence in food should, however, be taken into consideration before a final decision is taken. The proposed extension of the period during which thiabendazole may be used is intended to enable a comprehensive examination of the sources and presence of thiabendazole in food to be carried out. Moreover, it is claimed that experience in the use of thiabendazole has shown, because of its fungicidal properties, the maintenance of these levels is technically justified.

5. The Committee on the Environment, Public Health and Consumer Protection refers to its earlier reports on the use of thiabendazole in the surface treatment of citrus fruit and bananas. The reports in question are those by Mr CALIFICE (Doc. 40/70) and Mr DELLA BRIOTTA (Doc. 319/73).

Your committee regrets that the Commission is still not in a position to submit a definitive proposal on the use of thiabendazole. It points out that repeated extensions of the period of admissibility are unsatisfactory and engender uncertainty in the mind of the consumer, especially as it is left to the Member States to decide whether or not the consumer should be given a visible indication at the retail stage of the use of thiabendazole in the treatment of the fruit being sold.

6. For these reasons your committee reiterates its urgent request to the Commission to consult qualified experts and to examine in detail the question of the technical necessity and the admissibility from the health point of view of the use of thiabendazole and to draw up appropriate proposals as quickly as possible. In view of the importance of this matter for health protection it will be unable to deliver its opinion on the definitive use of thiabendazole unless it is allowed sufficient time to consider the subject. It therefore urges the Commission and the Council to begin the consultation procedure, if there is to be one, early enough for Parliament not to have to work against time. In the present circumstances

this means that it expects to receive the definitive proposal from the Commission by December 1977 at the latest.

7. Subject to these reservations your committee approves the proposal from the Commission for a Council directive for a 12th amendment to the basic directive.

