

# European Communities

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EUROPEAN PARLIAMENT

## Working Documents

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### Report

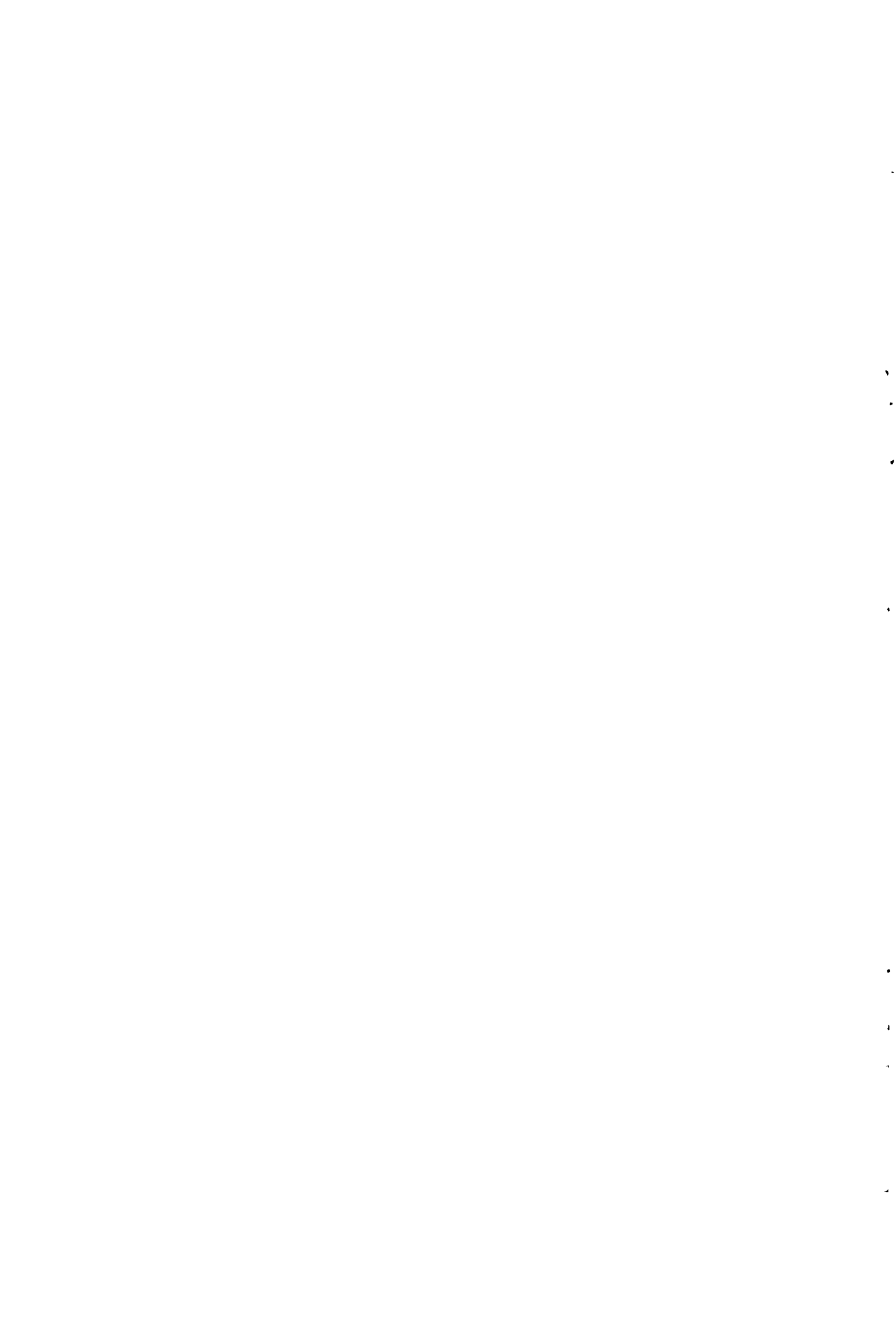
drawn up on behalf of the Committee on Public Health and the Environment

on the proposal from the Commission of the European Communities to the Council (Doc. 159/75) for a directive for an 11th amendment to 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: Mrs E. ORTH

PE 41.811/fin.

1.2.2



By letter of 20 June 1975 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 an 11th amendment to 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 Public Health and the Environment.

On 30 June 1975 the Committee on Public Health and the Environment appointed Mrs Orth rapporteur.

It considered this proposal at its meeting of 1 October 1975.

At the same meeting the committee unanimously adopted the motion for a resolution and the explanatory statement.

Present : Mr Spicer, vice-chairman and acting chairman;  
Mrs Orth, rapporteur; Lord Bethell, Mr Brégégère, Mr Creed, Lady Fisher of Rednal, Mr Liogier, Mr Martens, Mr Meintz, Mr Noè, Mr Premoli and Mr Rosati.

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The Committee on Public Health and the Environment 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 an 11th amendment to 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<sup>1</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 159/75),
  - having regard to the report by the Committee on Public Health and the Environment (Doc.291/75 ),
1. Agrees with the Commission's proposal to add three further preservatives to the list of additives authorized for use in foodstuffs intended for human consumption in the Community, since the Scientific Committee for Food has also delivered a favourable opinion in this respect;
  2. Also agrees with the wording of Article 7(a) to bring the text in line with the Directive on Emulsifiers, Stabilisers, Thickeners and Gelling Agents;
  3. Once again requests the Commission and the Council to tackle forthwith, expedite and conclude as soon as possible the further approximation of laws on preservatives as provided for in the basic directive of 1963;
  4. Also urges the Commission not only permanently to keep track of the position as regards scientific research into preservatives, but also to complete in the near future the necessary investigation into the use of nitrite and nitrate and the balance in human nutrition of mineral ions, and if possible to replace certain preservatives by less harmful substances.

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<sup>1</sup> OJ No. C 145, 28.6.1975, p.4.

EXPLANATORY STATEMENT

I. General

1. The Commission's objective in this proposal is to
  - make it possible for all Member States to use the sodium derivative of methyl parahydroxybenzoate, potassium nitrite and potassium propionate as additives in food for human consumption, and
  - to bring the wording of this directive, and in particular Article 7(a) into line with the wording recently agreed in similar circumstances during the elaboration of the Directive on Emulsifiers, Stabilisers, Thickeners and Gelling Agents<sup>1</sup>.

II. Discussion

A. Additions to the list of preservatives

2. The use of the three additives mentioned above is still permitted in the new Member States insofar as such use was already permitted by national laws at the time of accession.

This derogation was made at the time since three equivalent compounds, namely methyl parahydroxybenzoate, sodium nitrite and sodium propionate figured on the list of authorized preservatives for the old Member States (Directive 64/54/EEC<sup>2</sup>).

3. Moreover, the Scientific Committee for Food has no objection to the inclusion of the three products in the list (see the Committee's opinion of 15 November 1974 annexed to the Commission's proposal).
4. The Committee on Public Health and the Environment approves the addition to the list of preservatives, there being no alternative available at the present time, while drawing the attention of the Commission, with the Scientific Committee for Food to the need for a review of the use of nitrite and nitrate and the balance in human nutrition of mineral ions, in particular, of sodium and potassium.

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<sup>1</sup> OJ No. L 189, 12.7.1974, p.1

<sup>2</sup> OJ No. 12, 27.1.1964, pp.161-164

B. Amendment of Article 7(a) of Directive 64/54/EEC

5. This adjustment is necessary to align the wording of the directive with the wording recently agreed in similar circumstances during the elaboration of the Directive on Emulsifiers, Stabilisers, Thickeners and Gelling Agents<sup>1</sup>.

6. In his report on behalf of the Committee on Social Affairs and Public Health on the Commission's proposal for this directive<sup>2</sup>, Mr Girardin expressed his agreement with the maximum permissible levels of arsenic, lead, copper and zinc proposed by the Commission, while proposing that these maximum levels should be reduced as and when research data supported such reduction.

A corresponding textual amendment was proposed at the time and adopted by the Parliament, but not incorporated by the Council in its final directive.

7. The Committee on Public Health and the Environment should therefore think twice about re-proposing this same amendment, especially as this would not help the alignment of the two directives 64/54/EEC and 74/329/EEC.

C. Critical observations

8. In paragraph 5 of its explanatory memorandum the Commission points out that this proposal is not intended to deal with the approximation of the laws concerning individual foodstuffs to which the preservatives listed in the directive may be added, although provision for this is made in the basic directive.

The Committee on Public Health and Employment therefore urges the Commission to expedite this approximation.

9. In conclusion it is noted that the opinion of the Scientific Committee for Food was delivered on 15 November 1974, whereas the Commission's proposal is dated 5 June 1975, and it could be asked whether this procedure could not have been accelerated somewhat.

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<sup>1</sup> Directive No. 74/329/EEC, OJ No. L 189, 12.7.1974. pp. 1-7

<sup>2</sup> Doc. 103/69

