

European Communities

EUROPEAN PARLIAMENT

Working Documents

1973-1974

16 January 1974

DOCUMENT 319 /73

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. 300 /73) for a directive on a 10th amendment to the Council

Directive on the approximation of the laws of the Member States concerning the
/preservatives authorized for use in foodstuffs intended for human consumption

Rapporteur: Mr Libero DELLA BRIOTTA

PE 35.503/fin.

By letter of 14 December 1973 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 on a 10th amendment to the Directive on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption.

By letter of 7 January 1974 the President of the European Parliament referred this proposal to the Committee on Public Health and the Environment.

On 14 January 1974, the committee appointed its Chairman, Mr Della Briotta, rapporteur.

It discussed the proposal at its meeting of 14 January 1974.

On the same date, the committee unanimously adopted the motion for a resolution and explanatory statement

The following were present: Mr Della Briotta, Chairman and rapporteur; Mr Scott-Hopkins, Vice-Chairman; Mr Brégégère, Mr Gibbons, Mr Lagorce, Lord Lothian, Mr Martens, Mr Willi Müller, Mr Premoli and Mr Yeats.

CONTENTS

	<u>Page</u>
A. MOTION FOR A RESOLUTION	5
B. EXPLANATORY STATEMENT	7

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 on a 10th amendment to the Council Directive on the approximation of the laws of the Member States concerning the preservatives authorized for the use in foodstuffs intended for human consumption

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council¹,
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 300/73),
 - having regard to the report of the Committee on Public Health and the Environment (Doc.319/73),
1. Approves the proposal from the Commission, subject to the condition that the use of the additive thiabendazole does not present a danger to human health if the residual level per kilogram of fruit does not exceed 6 mg. in the case of citrus fruits and 3 mg. in the case of bananas;
 2. Calls upon the Commission to consult qualified experts and to examine in detail the question of the technological necessity and the admissibility from the health point of view of an increase in the residual level of thiabendazole to 10 mg/kg in the case of citrus fruits;
 3. States that, in view of the importance of this matter to health policy, it is unable to deliver its opinion on the question of increasing the residual level of thiabendazole by urgent procedure, and therefore urges the Commission and the Council to begin the consultation procedure, if there is to be one, early enough to avoid any pressure of time;
 4. Instructs its President to forward this resolution and the committee's report to the Council and Commission of the European Communities.

¹ OJ No C116 of 29 December 1973, p.30.

EXPLANATORY STATEMENT

1. In 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, thiabendazole (chemical name: 2-(4 -thiazolyl)- benzimidazole, EEC No. E 233) was added to the list of preservatives which could be used in foodstuffs. However, its use is only permitted under 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 one external surface of the packaging by the words:
'Preserved with thiabendazole',
- in the retail trade, by 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 present proposal from the Commission on a 10th amendment to the basic directive deletes paragraph (c) of the conditions of use listed above, which means that the additive thiabendazole can in future be used indefinitely provided the conditions in paragraphs (a) and (b) are satisfied.

¹ OJ No. L87, 17 April 1971, p.12

² OJ No. 12, 27 January 1964, p.161/164

3. The Commission explains its proposal by saying that as the trial use of thiabendazole has shown, it is desirable to maintain the present levels (maximum - 6 mg/kg in the case of citrus fruit and 3 mg/kg in the case of bananas) for reasons of technological necessity.

The Committee on Public Health and the Environment would like to point out that the Commission says nothing in its Explanatory Memorandum of the admissibility from the health point of view of this additive. The committee presumes, however, that the following statement by the Council in the recitals of the Directive of 30 March 1971 is still valid:

'The use of thiabendazole presents no danger to human health provided that the residual content does not exceed 6 mg in respect of citrus fruits and 3 mg in respect of bananas per kg of treated fruit.'¹

If the Commission can give an assurance and undertake responsibility for it, the committee has no objections to the Commission's proposal.

4. It is obvious that in view of the delay in consulting the European Parliament, the time-limit laid down in Article 2 for the entry into force of the Directive (1 January 1974) cannot be complied with.

The earliest possible time-limit for the entry into force would be 1 February 1974.

In the interests of a smooth consultation procedure, and to avoid complications, the committee does not wish to propose a formal amendment to Article 2.

5. As the Commission goes on to say in the Explanatory Memorandum to its amendment, 'trials have been carried out which have made it clear that in the case of citrus fruit a concentration of up to 10 mg/kg is desirable in certain cases to obtain a more efficient protection.'

In this connection, the committee points out that it has considerable reservations about increasing the thiabendazole content of citrus fruit. If such an increase is really necessary for technological reasons, the committee requires the Commission to prove that this relatively high concentration of thiabendazole in citrus fruit presents no danger to human health.

¹ OJ No. L87, 17 April 1971, p.12

The Commission is therefore urged to consult qualified experts and to examine this question in detail.

6. If a proposal to this effect is submitted, your committee will refuse to deal with such an important question of health policy by urgent procedure. It therefore insists that if the need arises, the Commission and the Council should consult the European Parliament early enough to avoid any pressure of time.

