

EUROPEAN PARLIAMENT

Working Documents

1974-1975

3 July 1974

DOCUMENT 162/74/ANNEX

OPINION

LIBRARY

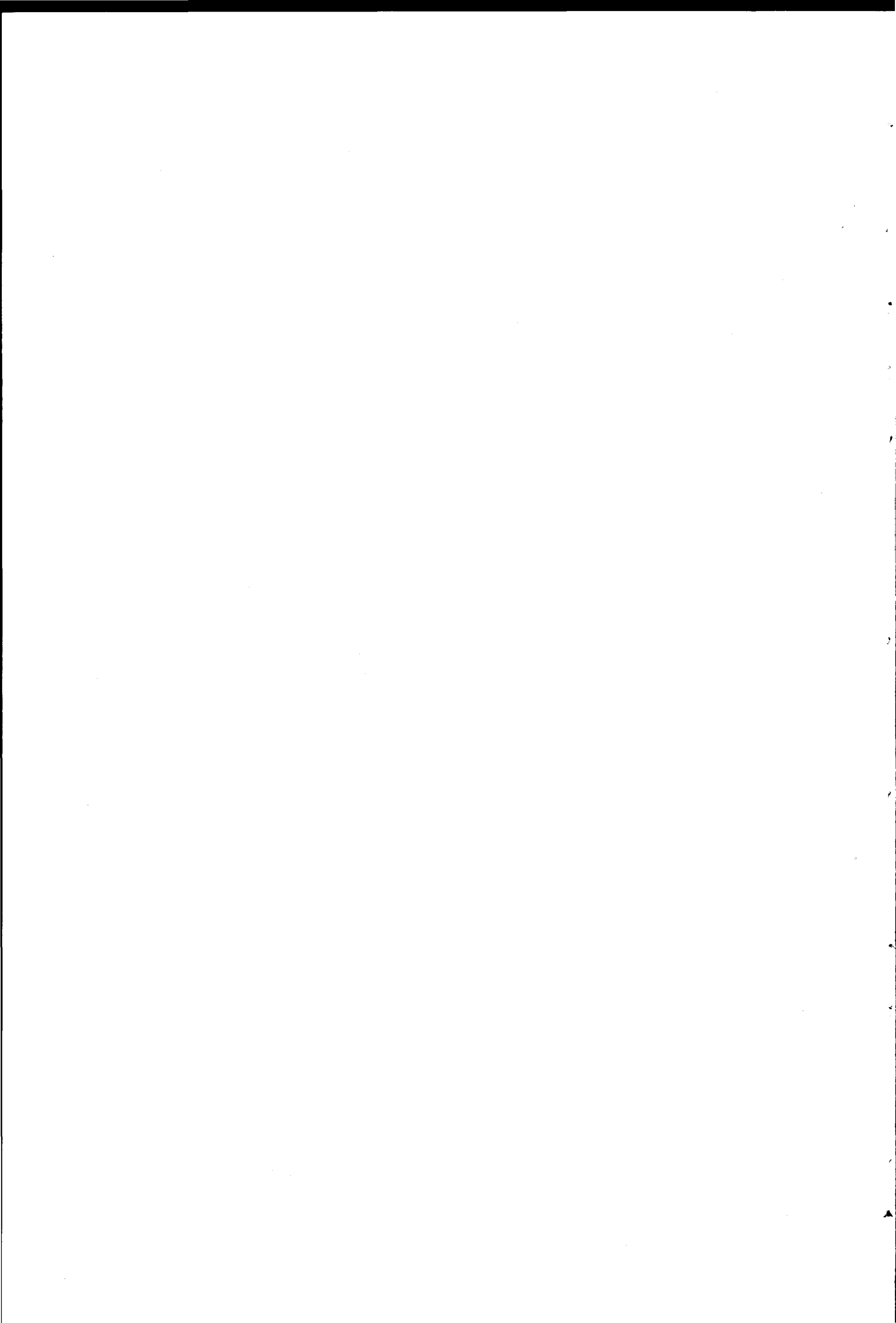
of the Committee on Public Health and the Environment

on the Communication from the Commission of the European Communities to
the Council (Doc. 108/74) on the resolution concerning animal and plant health
and animal nutrition

Draftsman: Mrs E. ORTH

12.4

PE 37.255/fin.



The Committee on Public Health and the Environment appointed Mrs ORTH draftsman of the opinion on 6 June 1974.

It considered the draft opinion at its meeting of 1 July 1974 and adopted it unanimously.

The following were present: Mr Della Briotta, chairman; Mr Jahn, vice-chairman; Mrs Orth, draftsman of the opinion; Mr Albertsen, Mr Brégégère, Mr Eisma, Mr Martens, Mr Noè, Mr Petersen, Mr Premoli and Lord St Oswald.

1. When the Council adopted the timetable for the foodstuffs sector in its industrial policy on 17 December 1973¹, it invited the Commission to submit to it as soon as possible a similar timetable for the approximation of laws in other sectors of agriculture and food production. The Commission then complied with this invitation by submitting a proposal for a Council resolution concerning animal and plant health and animal nutrition with a timetable (Annexes 1 to 3). As the recitals to the draft resolution state, this timetable is of a flexible nature and may be modified so as to take account of any changes in priority which might prove necessary during its implementation.
2. In 1968 the Commission drew up a work programme which is still in force today, and part of which has already been carried through². The Communication from the Commission to the Council on the draft resolution does not however state which proposals are still before the Council and which have been adopted, nor does this document connect up coherently with the programme adopted in 1968.

The Commission thought it desirable, for the implementation of a further section of the programme, to draw up this timetable. It is not however stated which section of the programme is meant. Examination of the programme shows, moreover, that this timetable does not, in fact, refer to any specific section of the programme.

It would certainly have been more logical for the Commission to draw up a comprehensive document showing what progress had been achieved in the work envisaged in the original programme, and what was still to be done, with a timetable for its definitive realization.

This would undoubtedly have facilitated the work of the European Parliament, which was invited at short notice to give its opinion on a document which is in no way complete.

In its explanatory statement the Commission concedes that the proposed resolution does not cover all the amendments to existing directives which might be proposed for the easing of controls.

3. In drawing up the annexes the Commission has not seen fit to use explanatory footnotes. For example, where proposals already

¹ OJ No. C 117, 31.12.1973, p.1.

² OJ No. C 22, 18.3.1968, p.18.

exist as documents, the document numbers should have been given. This may be an unimportant point, but it is typical of the manner in which this communication has been drawn up.

4. Annex II deals mainly with pesticides, and includes two proposals concerning tolerance levels for pesticide residues which are supposed to be adopted this year. This seems optimistic if one considers that a proposal for a regulation establishing maximum levels for pesticide residues on fruit and vegetables has been before the Council since 1968 and has still not been adopted.

In its answer to a written question on this point by Mr JAHN¹ the Commission stated that agreement on the proposal had been reached among the six Member States of the original Community, but that it had been blocked in consequence of the enlargement, since the new Member States could not see their way to accepting it. The Commission has therefore been working on draft regulations to supplement its first proposal. Is the Commission, knowing the difficulties the first proposal encountered, seriously of the opinion that the Council will adopt, by 31 July 1974 a proposal on tolerance levels for pesticide residues on and in food and vegetables, as the timetable envisages (Annex 2,I)? It seems somewhat unreasonable to set goals knowing that they are unrealistic.

5. In general it is to be noted with regret that a substantial part of the March 1968 programme has still not been carried out. Thus, for instance, the Council has not been able to come to an agreement on the following Commission proposals, some submitted before 1968:

- Directive on questions of health and foodstuffs law relating to trade in meat products²,
- Directive on questions of health and animal disease law relating to the import of cattle, pigs and fresh meat from third countries²,
- Measures under animal health law against tuberculosis and brucellosis,
- Compulsory or optional testing of pork for trichina,
- Measures against salmonellosis in meat-processing plants,
- Hygiene in indoor milking,

¹ OJ No. C 49, 29.4.1974, p.4.

² According to the earlier programme these proposals were to be adopted by the Council before 31 March 1968.

- Hormone substances in animals, poultry and their meat - standard methods for export control,
- Measures against salmonellosis in stock-raising enterprises,
- Treatment of meat with ionizing and ultra-violet radiation,
- Standard methods for hygiene inspection and evaluation of meat,
- Pharmaceutical preparations used in feeding-stuffs,
- Substances which may leave residues in meat, eggs and milk (antibiotics, thyrostatic substances, tenderizers etc),
- inedible animal products (horns, claws, hides, wool etc.), insofar as they may be carriers of infectious diseases.

6. These few examples suffice to illustrate clearly the inability of the Council to create thoroughgoing Community regulations in these fields although the European Economic Community has existed for more than 16 years.

In these circumstances the Committee on Public Health and the Environment questions the appropriateness of drawing up a new programme when disappointing experience hitherto of the dilatory working methods of the Committee of Permanent Representatives and the Council of Ministers suggests little prospect of timely realization. Furthermore, as already shown, substantial parts of the 1968 programme are still awaiting implementation.

7. In general, the European Parliament, and also the Economic and Social Committee, have repeatedly urged the Commission and the Council to harmonize Member States' legislation especially in the field of food legislation in the broadest sense, which certainly includes animal and plant health and animal nutrition, not in a fragmentary and step-by-step manner but in one go, by means of 'horizontal' directives laying down specific regulations (e.g. on packaging, marking, composition and limits on additives) for all foodstuffs. It is becoming increasingly clear that the European citizen cannot see why the Community does not allow itself to be guided by progressive regulations of particular Member States and where possible extend their application to the whole Community.
8. Exemplary foodstuffs legislation is of little use to a single Member State within the Common Market as long as the other Member States do not follow suit, since the consumers in this progressive Member State will have to confine themselves to domestic products if they desire hygienically and qualitatively irreproachable goods.

Products of a lower standard from other Member States must be turned back at the frontiers of the progressive country, both to preserve the validity of the foodstuffs legislation in force in the country and to protect domestic producers, who must observe this foodstuffs legislation, from unfair competition. It is plain that the obstacles to trade arising from this have brought about precisely the opposite of what was sought from the setting up of the European Economic Community. In view of the inaction of the Council of Ministers we are in the Community still unfortunately far from creating conditions for trade similar to those existing in a national market, although this has for many years been called for by the European Parliament in its capacity of spokesman for the public.

9. The Committee on Public Health and the Environment repeats its call for the Council finally to cease contenting itself in its harmonization measures with agreement at the lowest common denominator. The Council should instead - and this is particularly true of the fields of animal and plant health and animal nutrition under discussion here - be guided by the most progressive national regulations in each case, and introduce them at Community level.
10. This call from the Committee not only corresponds to the general contemporary trend towards a better quality of life, but also rests on the spirit and the letter of the EEC Treaty. The preamble to the Treaty names as one of the essential objectives of the Community the constant improvement of the living and working conditions of its peoples. In Article 2 the task of the Community is defined as follows: 'to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it.' The Council must finally meet these obligations, to which it has hitherto paid little attention.
11. The Committee on Agriculture, as the committee responsible, is requested to take account of the above considerations in its report. In particular, the Committee on Public Health and the Environment considers it essential for the following points to be included in the motion for a resolution in Mr BOURDELLES' report:
 1. Cannot conceal its scepticism concerning the practicality of the new programme, in view of the fact that substantial parts of the 1968 programme have still not been realized, in consequence of the inefficiency of the Council;

2. Notes with regret that the present state of harmonization in the areas of animal and plant health and animal nutrition still falls far short of conditions similar to those existing in a national market, although such a situation has for many years been called for and is expressly provided for in the Treaties;
3. Again calls on the Council, in its future harmonization work in the areas named, to be guided in accordance with the spirit and the letter of the EEC Treaty by the most progressive national regulations in each case, and to adopt them for the whole Community, instead of being content - as has hitherto unfortunately almost always been the case - with agreement at the lowest common denominator.