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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(72) 1589 final

Brussels, 13 december 1972

Proposal for a

COUNCIL DIRECTIVE

making an eighth 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

(submitted by the Commission to the Council)

COM(72) 1589 final

EXPLANATORY MEMORANDUM

1. The Commission is now in a position to recommend the use under certain conditions within the whole of the Community of formic acid and some of its salts, of hexamethylenetetramine and of boric acid and borax. It will therefore soon submit to the Council a proposal for a Directive relating to the inclusion of these substances in the Annex to the Council Directive of 5 November 1963 on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption (1).
2. The Commission is, however, aware of the fact that compliance with the procedure laid down in the Treaty for the adoption of this proposal will entail some delay and that consequently it will not be possible to take the final decision before the end of the year. But, by virtue of the Council Directive of 20 December 1971, (2) the Member States must, as from 1 January 1973, prohibit all trade in foodstuffs which have been treated with any of the substances under consideration. This date must therefore be deferred in respect of the preservatives referred to above, and a postponement accordingly of one year would seem appropriate.
3. In the case of organo-borated compounds, the use of which is also authorized under national laws until 1 January 1973, extension of the time limit set by the Directive of 20 December 1971 is not warranted. Indeed, in the light of the available information on these compounds, there can be no justification for a declaration by the Commission in favour of their use. Their use will therefore be prohibited after the end of this year.

(1) OJ No 12, 27 January 1964, p. 161/64

(2) OJ No L 2, 4 January 1972, p. 22

Proposal for a Council Directive making an eighth 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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof ;

Having regard to the proposal from the Commission ;

Whereas, under Article 5 a) and Article 11 2) of the Council Directive of 5 November 1963 on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption (1), as last amended by the Council Directive of 20 December 1971 (2), the Member States must prohibit the use of certain preservatives and the prohibition must take effect on 1 January 1973.

Whereas the Commission has recently submitted a proposal for a Directive relating to the authorization of the use throughout the Community of formic acid and its salts, of hexamethylenetetramine and of boric acid and its salts ; whereas a decision cannot however be taken before 1 January 1973 and it is therefore necessary, in the case of these preservatives, to defer the application of the prohibition for a further year ;

(1) OJ No 12, 27 January 1964, p. 161/64

(2) OJ No L 2, 4 January 1972, p. 22

HAS ADOPTED THIS REGULATION :

Article 1

Article 11 2) of the Council Directive of 5 November 1963 on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption, as last amended by the Council Directive of 20 December 1971, is amended by deleting the second sentence and substituting therefor the following :

"However, in the case of formic acid and its salts, boric acid and its salts and hexamethylenetetramine, application of the amended laws may be deferred until 1 January 1974".

Article 2

This Directive is addressed to the Member States.

Done at Brussels,

For the Council,

The President