II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE
of 18 December 1978
amending for the 14th time 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

(79/40/EEC)

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 (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Council Directive 64/54/EEC 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 (4), as last amended by Directive 78/145/EEC (5), and in particular by Directive 76/629/EEC (6), provides temporarily for the use until 1 January 1979 of thiabendazole at a maximum residual level of 6 mg/kg in the case of citrus fruit and 3 mg/kg in the case of bananas ;

Whereas, the use of thiabendazole on the surface of such fruit in quantities leading to such maximum residual levels in the whole fruit is acceptable on a toxicological basis ;

Whereas experience in the use of thiabendazole has shown that the maintenance of these levels is technologically justified ;

Whereas it may, however, be necessary subsequently to include thiabendazole in more general Community rules governing the surface treatment of fruit ;

Whereas it is therefore necessary for the time being, in order not to prejudge the nature or the scope of such future rules, to extend once again the deadline for the permitted use of thiabendazole,

HAS ADOPTED THIS DIRECTIVE :

Article 1

In No E 233 subparagraph (c) of Section I of the Annex to Directive 64/54/EEC '1 January 1979' shall be replaced by '1 July 1982'.

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive with effect from 1 January 1979 and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1978.

For the Council

The President

J. ERTL

(1) OJ No C 247, 18. 10. 1978, p. 8.
(2) OJ No C 6, 8. 1. 1979, p. 63.
(3) Opinion delivered on 29 and 30 November 1978 (not yet published in the Official Journal).
(4) OJ No 12, 27. 1. 1964, p. 161/64.
(5) OJ No L 44, 15. 2. 978, p. 23.
(6) OJ No L 223, 16. 8. 1976, p. 3.