COUNCIL DIRECTIVE

of 20 July 1976

amending for the twelfth 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

(76/629/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,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

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 (3), as last amended by Directive 76/462/EEC (4), provides for the temporary use of thiabendazole at a maximum level of 6 mg/kg in the case of citrus fruit and 3 mg/kg in the case of bananas;

Whereas on a toxicological basis, the use of thiabendazole on the surface of citrus fruit in quantities leading to residues of 6 mg/kg in the whole fruit is temporarily acceptable, but all uses of thiabendazole leading to its presence in foodstuffs should be taken into consideration before taking a final decision;

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

Whereas the transitional period provided for by Directive 74/394/EEC (5) should therefore be extended to allow time for an overall examination of the sources and of the presence of thiabendazole in foodstuffs, without prejudice to the possible inclusion of thiabendazole in a subsequent Community system on the treatment of fruits and vegetables,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In No E 233 subparagraph (c) of Section I of the Annex to Directive 64/54/EEC '1 July 1976' shall be replaced by '1 January 1979'.

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive with effect from 1 July 1976 and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 20 July 1976.

For the Council

The President

A.P.L.M.M. van der STEE

(1) OJ No C 159, 12. 7. 1976, p. 42.
(2) Opinion delivered 1 July 1976 and not yet published in the Official Journal.
(3) OJ No 12, 27. 1. 1964, p. 161/64.
(4) OJ No L 126, 14. 5. 1976, p. 31.
(5) OJ No L 208, 30. 7. 1974, p. 25.