COUNCIL DIRECTIVE

of 1 August 1974

amending, for the first time, Council Directive No 70/357/EEC on the approximation of the laws of the Member States concerning the antioxidants authorized for use in foodstuffs intended for human consumption

(74/412/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;

Whereas Article 2 of Council Directive No 70/357/EEC [1] of 13 July 1970 on the approximation of the laws of the Member States concerning the antioxidants authorized for use in food intended for human consumption, permits Member States for a period of three years following the notification of the said Directive to maintain the provisions of their national laws authorizing the use in foodstuffs of calcium disodium ethylene diamine tetra-acetate, propyl gallate and L-ascorbic acid esters of the unbranched fatty acids C_{14} and C_{18};

Whereas Annex VII, Chapter IX, 3 of the Act of Accession [2] permits the new Member States, up to and including 31 December 1977, to maintain in force the provisions of their national laws existing on the date of accession relating to the use in foodstuffs of propyl gallate;

Whereas the technological usefulness of these substances in food has been demonstrated within the Community;

Whereas the laws of certain Member States still permit the use of these substances;

Whereas the situation must be reviewed in the light of the most recent scientific and toxicological information;

Whereas the Scientific Committee for Food, instituted by Commission Decision of 16 April 1974 [3], has not yet fully considered this information;

Whereas it is therefore not possible to take a final decision as to whether or not the use of these substances should be authorized within the Community,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The first paragraph of Article 2 of Directive No 70/357/EEC shall be replaced by the following text with effect from 13 July 1974:

'By way of derogation from Article 1, Member States may maintain the provisions of their national laws permitting the use in foodstuffs of calcium disodium ethylene diamine tetra-acetate, propyl gallate and L-ascorbic acid esters of the unbranched fatty acids C_{14} and C_{18} until 31 December 1977.'

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 1 August 1974.

For the Council

The President

B. DESTREMAU

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[1] OJ No L 157, 18. 7. 1970, p. 31.
[2] OJ No L 73, 27. 3. 1972, p. 14.
[3] OJ No L 136, 20. 5. 1974, p. 1.