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A3-0006/91

R E P O R T

of the Committee on the Environment, Public Health and
Consumer Protection

on the principle of equivalence of conditions governing
imports and exports between the European Community and third
countries with regard to products which are harmful to
health and to the environment

Rapporteur: Mrs Adriana CECI

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A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

***** = Consultation procedure requiring a single reading

****II** = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

****I** = Cooperation procedure (first reading)

******* = Parliamentary assent which requires the votes of a majority of the current Members of Parliament

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At its sitting of 3 October 1990 the President of Parliament announced that he had referred the motion for a resolution by Mr Collins and others on the principle of equivalence of conditions governing imports and exports between the European Community and third countries with regard to products which are harmful to health and to the environment pursuant to Rule 63 of the Rules of Procedure to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on External Economic Relations for its opinion.

At its meeting of 28 June 1990 the Committee on the Environment, Public Health and Consumer Protection decided to draw up a report and appointed Mrs Ceci rapporteur.

At its meetings of 17 July 1990, 28 November 1990 and 18 December 1990 it considered the draft report.

At the last meeting it adopted the motion for a resolution by 15 votes to 1.

The following took part the vote: Collins, chairman; Schleicher and Sir James Scott-Hopkins, vice-chairmen; Ceci, rapporteur; Alber, Di Rupo, Fitzsimons, C. Jackson, Kofoed (for Bertens), Muscardini, Partsch, Pereira, Pimenta, Puerta, Schwartzenberg and Vernier.

The opinion of the Committee on External Economic Relations is attached to this report.

The report was tabled on 11 January 1991.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

MOTION FOR A RESOLUTION

on the principle of equivalence of conditions governing imports and exports between the European Community and third countries with regard to products which are harmful to health and to the environment

The European Parliament,

- having regard to the motion for a resolution by Mr Collins and others on the principle of equivalence of conditions governing imports and exports between the European Community and third countries with regard to products which are harmful to health and the environment,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on External Economic Relations (A3-0006/91),
- A. whereas the completion of the internal market consists of the harmonization within the European Community of laws, including health regulations applicable to products which are harmful to health and to the environment,
- B. whereas many directives or regulations which have been adopted or will be adopted in future lay down specific rules governing conditions for importing products from third countries,
- C. whereas the European Community, which has on many occasions affirmed its commitment to the liberalization of international trade, cannot protect itself from international competition by applying stricter rules to imports than to exports,
- D. whereas the lack of identical rules applying to both exports and imports implies that what is harmful to the health of Europeans is no longer harmful outside the borders of the EEC,
1. Declares that, in respect of exports of products or substances originating in the European Community, the rules and conditions applicable must be equivalent, no more and no less strict, than those applicable to imports from third countries;
 2. Condemns the hypocrisy which, on the pretext of protecting European consumers, enables trade interests to be protected by exporting products or substances which are banned on the Community market;
 3. Calls on the Commission to review the provisions on this subject in its various proposals in order that this principle may be applied;
 4. Calls on the Council and the Commission to join Parliament in drafting and signing a formal declaration to this end;
 5. Instructs its President to forward this resolution to the Council and the Commission.

B

EXPLANATORY STATEMENT

At its sitting of 18 May 1990, the European Parliament considered the report of the Committee on the Environment, Public Health and Consumer Protection¹ and the amendments tabled to the proposal from the Commission to the Council for a regulation on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs².

On that occasion Parliament adopted amendments calling for the same health conditions governing imports from third countries to be applied to exports to third countries, on the grounds that, if strict health regulations are to be applied to products from third countries, the same regulations should be applied to Community exports.

As regards the specific case of poultry and hatching eggs, Parliament called for recognition of the principle of equivalence of conditions governing exports and imports of products which are harmful to public health and to the environment. It considers that this should be an unalienable and fundamental guiding principle of the Community's trade policy in respect of third countries, in particular the developing countries. It is indeed inconceivable that products or substances which would elsewhere be deemed harmful to the health of European citizens and to the environment of Community Member States should be allowed to be exported. This principle naturally applies not only to eggs or animal products or products of animal origin, but also to all dangerous substances, including pesticides. Parliament has already strongly affirmed this principle on many occasions, but the Council and the Commission have hitherto taken no heed. Parliament considers that the institutions concerned should meet as a matter of urgency with a view to drafting and subsequently signing a formal declaration which would affirm the liberal, democratic and moral nature of the European Community.

If the Council and the Commission were to accept the principle of a dialogue as proposed by Parliament, this would make it possible to defuse the tensions which will inevitably arise each time Parliament is consulted on proposals which fail to take account of its position on this matter.

¹Doc. A 3-77/90

²COM(89) 9 final - Doc. C 3-62/89

MOTION FOR A RESOLUTION (B3-1527/90)

by Mr Collins, Sir James Scott-Hopkins and Mr Iversen
pursuant to Rule 63 of the Rules of Procedure

on the principle of equal conditions to govern Community and third-country exports and imports of products constituting a danger to health and/or environment

The European Parliament,

- A. whereas completion of the internal market entails the adoption of stringent measures to control imports of goods with a view to protecting both health and the environment in the European Community,
- B. whereas the European Community has declared its support time and again for the principle of free international trade and consequently must not shield itself from international competition by making the rules applicable to imports more stringent than those applicable to exports,
- C. whereas, in particular where farm produce and products of agricultural origin are concerned, the health rules applying to exports must be the same as, and neither more nor less stringent than, those applicable to imports,
 1. Denounces the double standards which, while ostensibly protecting the health of European consumers, serve to further commercial and financial interests by allowing exports of products which, chiefly for health reasons, may no longer be offered for sale on the Community market;
 2. Calls on the Commission and Council to join it in giving formal endorsement to the principle of equal conditions - in particular health conditions - to govern Community and third-country exports and imports of actually or potentially dangerous products;
 3. Instructs its President to forward this resolution to the Council and Commission.

Opinion of the Committee on External Economic Relations

Letter from the chairman of the committee to Mr Collins, chairman of the Committee on the Environment, Public Health and Consumer Protection

Brussels, 10 January 1991

Subject: Motion for a resolution by Mr COLLINS, Sir James SCOTT-HOPKINS and Mr IVERSEN, pursuant to Rule 63 of the Rules of Procedure, on the principle of equal conditions to govern Community and third-country exports and imports of products constituting a danger to health and/or environment (B3-1527/90)

Dear Mr Collins,

At its meeting of 9 January 1991 the Committee on External Economic Relations considered the above subject and adopted the following conclusions.¹

It pointed out that its opinion adopted on 23 January 1990 on the Commission proposal for a regulation on intracommunity trade and imports from third countries of poultry and hatching eggs (A3-0077/90) stated that 'the Committee on External Economic Relations feels it is vital to introduce a control procedure to ensure that imports from third countries are subject to the same animal health rules as products from the Member States', but 'the Commission's proposal should be supplemented by measures to provide health safeguards for exports of these products to third countries. The fact that these exports go mainly to developing countries, which often do not possess the means to verify whether the products entering their territory meet the necessary standards, merely places a greater responsibility on the Community in this matter'.

The committee accordingly considers that, in general terms, the principle of equivalence of treatment as regards imports and exports between the Community and third countries from the point of view of health and the environment must constitute the rule in the Community's trade relations.

(sgd) Willy DE CLERCQ

¹ The following were present for the vote: De Clercq, chairman; Cano Pinto and Moorhouse, vice-chairmen; Magnani Noya, draftsman; Braun-Moser, da Cunha Oliveira (for Bird), de Vries, Grund (for Neubauer), Izquierdo Royo (for Benoit), Melandri (for Aglietta), Peijs, Titley, Tsimas and Visser (for Junker).

