



# Consumer Voice

Newsletter on food safety, health and consumer policy  
from the European Commission's Health and Consumer Protection DG

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◀ David Byrne,  
Commissioner for  
Health and Consumer Protection

## Paving the way for a smoke free environment

Breaking free of tobacco addiction is hard work in an environment where tobacco products are perceived to be desirable. It becomes even harder when marketing strategies target the young and vulnerable as a soft touch for tobacco products. That is a climate that has to be changed.

The Warsaw declaration for a tobacco free Europe paves the way forward. It shows that key decision-makers are prepared to back a comprehensive European tobacco control strategy. Furthermore, they are prepared to carry the push forward on a global level to end the tobacco epidemic.

I have already sponsored new EU laws governing advertising, marketing, promotion and sponsorship of tobacco products. We are also deeply involved in the WHO international push towards a Framework Convention on Tobacco Control. I am greatly encouraged by the determination of the Spanish Presidency to fast-forward these initiatives. Shortly I will launch a major new Europe-wide anti-tobacco advertising campaign with 12 to 18 year olds as the prime target audience.

The Presidency is also to be congratulated for the emphasis it places on tackling public health issues during its Presidency of the Council, and in its determination to bring a number of EU legislative proposals on health to conclusion during its Presidency. I particularly applaud Spain's decision to highlight what is for me a major concern - the issue of cross border patient care.

## EU and WHO stand shoulder to shoulder to combat smoking

On 19 February, the Warsaw declaration for a tobacco-free Europe was adopted unanimously by European health ministers and high-ranking decision-makers from 48 countries. During the two-day World Health Organisation (WHO) Ministerial Conference, key decision-makers aimed at firming up an overall strategy to combat smoking in Europe. The declaration expresses their strong commitment to tobacco control as a key priority for developing national public health agendas.

Opening the conference, Dr Mark Danzon, WHO's regional Director for Europe observed that the fight against tobacco marks a fundamental phase in the history of public health. Not only because of the extent of the damage that smoking does to health, but also because of the innovative measures being taken to tackle the hazard. "These measures," he said, "are very different from those traditionally used by public health, especially in the field of communicable diseases."

Commissioner David Byrne presented the most recent legislative activities of the EU and he also outlined the Commission's preparations for the next round of negotiations for the Framework Convention on Tobacco Control (FCTC) in March. "These negotiations play a key role in the evolution of a comprehensive European tobacco control strategy," he said. Speaking of the campaign in a global context, the Commissioner said there should be no doubt that that EU is now firmly established as a major player in tobacco control at a global level.



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### EU legislative activities towards tobacco control

Directive 2001/37/EC is a comprehensive legal instrument, bringing tighter tar content and labelling under one roof. It covers exports and increases health warnings in size and nature.

The Directive obliges importers and manufacturers of tobacco products to provide regular information on non-tobacco ingredients such as the additives in their products to the Member States. They must submit toxicological data on these ingredients and indicate for what reason each single ingredient is used.

The Member States must communicate this information to the Commission.

The Commission and the Member States will analyse this information.

The Commission, assisted by experts, will draw up reports including evaluation of the addictive effects of some ingredients. This will enable scientific advice to be made available on what is in a cigarette and why such additives are present. Before 2005, the Commission will propose a new Directive concerning a common list of ingredients authorised for tobacco products.

Commissioner Byrne urges an ambitious and courageous approach to tobacco control and points to the FCTC as a unique opportunity to create a legal instrument that will be binding on a global level. Referring to the tobacco industry, the Commissioner spoke of it as "the first legal industry to generate disposable consumers and one that obviously needs to find replacements". Commenting wryly that he was "unlikely to win any popularity awards from the tobacco industry", he continued by describing how the EU intends to control the industry through EU legislation.

He spoke of his hope that the European Parliament will soon come up with a report on the Commission proposal for a new legally watertight tobacco advertising Directive.

A new Commission proposal is in preparation for a Council Recommendation on the reduction of smoking, and on initiatives to improve tobacco control. The Recommendation, which will be non-binding, is expected to be ready by the Summer and it will pick up on other key issues such as limiting the access of young people to tobacco products. The Proposal will also cover certain issues arising from the WHO Framework Convention negotiations that cannot be covered by EU Directives.

With these measures and others that are in the pipeline, the Commissioner assured the conference that the EU would do everything possible to mobilise a global consensus on tobacco control. "In the work ahead, we will stand shoulder to shoulder," he said. "I know that a significant impetus from the EU as a whole is vital for a successful outcome."

Byrne is confident the tide is turning in the EU, in the accession countries and globally, on the menace posed by the tobacco epidemic. "The entire Framework Convention process - and our determination to see it through - is further solid evidence for this. And, when ultimately the smoke has cleared, we can be proud of the contribution we have made to living in a healthier world."

To find the full text of the Directive 2001/37 governing the manufacture, presentation and sale of tobacco products, please go to: [http://europa.eu.int/eur-lex/pril/en/oj/dat/2001/1\\_194/1\\_19420010718en00260034.pdf](http://europa.eu.int/eur-lex/pril/en/oj/dat/2001/1_194/1_19420010718en00260034.pdf)

To find full details of the WHO conference, please go to: <http://www.who.int/homepage/>

## Spanish Presidency places emphasis on public health

The Spanish Presidency has placed health matters firmly at the heart of its programme in the run up to the Health Council in June. This is an emphasis that reflects the importance of the three legislative proposals on health that need to be tackled during the Presidency. In taking a strong and innovative approach to public health as the hallmark of its Presidency, Spain hopes to create the momentum for adoption of the Public Health Action Programme and the Blood Directive by the Health Council in June. The Presidency will also aim to reach a Common Position in Council on the Tobacco advertising Directive.

Although the emphasis is on public health, other important work on food safety, animal welfare and the protection of consumer interests is highlighted in the Presidency priorities.

Work must and will continue on BSE and on the surveillance and testing of TSEs in Sheep on an intensive level. Many issues detailed in the White Paper on Food Safety were cleared by the Swedish and Belgian Presidencies. The Spanish Presidency does not intend to lose the momentum on those food safety proposals and will continue to press for rapid progress on them during the Council meetings. Animal health measures to be dealt with under the Presidency include Commission Proposals for new Directives on measures to control Foot and Mouth Disease (FMD), on travelling with pets and on combating African Swine Fever. On the table also, will be a proposal from the Commission, possibly in April, for revision of the Consumer Credit Directive.

For full details of the Spanish Presidency priorities and initiatives, please go to: <http://www.eu2002.es/portada/plantillaDetalle.asp?opcion+0&id+583&idioma+ingles>

## Developing co-operation between different EU health systems

The Spanish health minister, Celia Villalobos launched a debate on the free movement of patients as a key priority for the Presidency during a ministerial meeting in Malaga early in February. While there is a wide diversity of EU health systems, nevertheless the EU health ministers recognised the potential for co-operation on issues related to quality and health care costs, specialised reference centres, sharing unused capacity for treatment to reduce waiting times as well as facilitating co-operation between systems in border regions.

EU law in many policy areas has an impact on the way health systems in Member States operate. Recently, there has been some concern about the effects of a series of rulings by the European Court of Justice on the reimbursement of health care costs incurred in another Member State. These rulings raise issues that span across different areas of Community policy - from health to social protection, and to the Internal Market. According to Commissioner Byrne, there is a need to develop a coherent and co-ordinated approach across these different policy areas to enable health systems to function effectively and address citizens expectations that they can seek treatment abroad. The Presidency intends to hold a follow up "expert" seminar at the end of May to pursue these issues further.

## Commissioner reports significant developments on BSE

Commissioner David Byrne gave a detailed update on BSE developments to EU Agriculture Council ministers on the 18 February. This followed an update for the Members of the European Parliament (MEPs) on 5 February in Strasbourg, prior to the adoption of the Olsson Report.

The impact of active monitoring during 2001, using new rapid tests, almost doubled the figure of 482 BSE cases registered in 2000 in Member States outside the UK.

In addition, "Member States who previously were not looking very hard for BSE have now learned their lesson and have hugely improved their surveillance efforts," the Commissioner said. He warned nevertheless that the reports from the Food and Veterinary Office (FVO) show there is still room for improvement in the area of implementation.



▲ Minister Celia Villalobos Tatera is responsible for health and consumer affairs and will chair those Councils during the Spanish Presidency. Minister Miguel Arias Cañete will chair the Agriculture Councils that discuss issues such as pesticide residues, food hygiene and zoonosis.

### ■ European parliament takes a strong line on BSE controls

A strongly worded "own initiative" or "follow up" Report on monitoring of the BSE crisis with regard to public health and food safety was adopted by a large majority in the European Parliament on 6 February. Prepared by Member of the European Parliament (MEP) Karl Olsson, the Report broadly supports the Commission's approach to the control of BSE, sets out the EP position on the ban on meat and bone meal and is highly critical of the poor implementation of BSE measures in the Member States. It calls for greater powers to be given to the Commission to allow it to ensure all the Member States and multinationals apply the EU rules strictly.

### ■ More testing for TSES in goats and sheep

On 14 February, the Standing Veterinary Committee (SVC) voted in favour of an amendment to the TSE Regulation, increasing the total number of tests per year on sheep and goats from 164,000 to 560,000. Beginning on 1 April this year, Member States that slaughter large numbers of sheep will have to test up to 66,000 animals for TSEs.

The Commission is already committed to funding testing in sheep and goats during 2002 at a cost of Eur 2.9 million. It will shortly propose to increase this figure by over Eur 4 million to fund purchase of extra test kits this year.

Cases are being found in animals born as recently as 1998 in several Member States. Commissioner Byrne said the implications of these findings are clear: "Cattle are still being exposed to infection, most probably through contaminated meat and bone meal (MBM)". The Commission will be looking very closely at the further evolution of the age profile of new cases.

Speaking of continuing concerns in relation to transmissible spongiform encephalopathies (TSEs) in sheep, Commissioner Byrne outlined details of the Decision adopted by the Commission during February to substantially increase the level of testing this year, effective from 1 April. The Commission will continue its policy of regular scientific review of TSEs in sheep and a number of new measures are planned. These include a further extension of the current list of specified risk materials (SRMs), new provisions of culling of scrapie infected flocks and more use of geno-typing of sheep breeds.

In addition, the Commission will shortly present a proposal for a Council Directive on the identification of sheep. This combination of measures - increased testing, the response to the advice of the Scientific Steering Committee (SSC) and better identification - are expected to greatly strengthen the protective framework in relation to TSEs in sheep throughout the EU.

Commissioner Byrne spoke also of concerns about BSE in third countries following a series of inspection missions by the FVO. The initial findings suggest that while there has been progress in some of the candidate countries, but others may be repeating the same mistakes made by the Member States in their earlier handling of BSE.

For more details on Commission initiatives on BSE and TSEs, please go to: [http://europa.eu.int/comm/food/fs/bse/index\\_en.html](http://europa.eu.int/comm/food/fs/bse/index_en.html)

## European Consumer Day

European Consumer Day will be celebrated in many of the Member States on 15 March but in Madrid the events promise to be particularly lively. The Spanish Presidency is taking the lead in organising the events together with the Commission on this year's theme: "Consumers in Europe: Strengthening the role of consumer representation in EU policy making."

Certainly, there is more and more input from consumers and their representations to EU legislative processes. Consultation processes are now a regular part of the process. But how satisfied are EU citizens at the way their interests are defended at national and EU level? Do they feel they are well informed on products and services and do they feel their interests are properly protected when a dispute arises?

These are questions that the Commission hopes to be able to answer on European Consumer Day when it releases the results of an opinion poll. Findings will be broken up to give answers to those questions for each individual Member State as well as on an EU wide basis.

To find out more about European Consumer Day, please go to: [http://europa.eu.int/comm/consumers/index\\_en.html](http://europa.eu.int/comm/consumers/index_en.html)

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