



EUROPEAN PARLIAMENT

2014 - 2019

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*Committee on the Environment, Public Health and Food Safety*

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**2013/0451(NLE)**

6.3.2015

# **AMENDMENTS 24 - 115**

**Draft report**  
**Esther Herranz García**  
(PE546.873v01-00)

on the proposal for a Council regulation laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency  
(COM(2013)0943 – C7-0045/2014 – 2013/0451(NLE))

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PE551.762v01-00

**EN**

*United in diversity*

**EN**



**Amendment 24**

**Ivo Belet**

**Draft legislative resolution**

**Citation 2 a (new)**

*Draft legislative resolution*

*Amendment*

**– having regard to Article 294(3) and Article 168(4) of the Treaty on the Functioning of the European Union;**

Or. en

*Justification*

*To ensure a high level of health protection for EU citizens in the event of radioactive contamination and to give democratic legitimacy to the adoption of this Regulation, the legal basis should be changed to Article 168 (4) of the Treaty on the Functioning of the European Union, to give the Parliament a decision-making role on a regulation potentially affecting public health*

**Amendment 25**

**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**

**Title**

*Text proposed by the Commission*

*Amendment*

***Proposal for a Council Regulation***

***Regulation of the European Parliament and of the Council***

laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency

laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency

Or. en

**Amendment 26**

**Michèle Rivasi**

**Proposal for a regulation**  
**Title**

Text proposed by the Commission

Proposal for a  
**COUNCIL** REGULATION

laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency

Amendment

Proposal for a  
REGULATION *OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL*

laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency

Or. fr

**Amendment 27**  
**Ivo Belet**

**Proposal for a regulation**  
**Citation 1**

*Text proposed by the Commission*

Having regard to the Treaty *establishing the European Atomic Energy Community*, and in particular *Articles 31 and 32* thereof,

*Amendment*

Having regard to the Treaty *on the Functioning of the European Union*, and in particular *Article 168(4)* thereof,

Or. en

**Amendment 28**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Citation 1**

Text proposed by the Commission

Having regard to the Treaty *establishing the European Atomic Energy Community*, and in particular *Articles 31 and 32* thereof,

Amendment

Having regard to the Treaty *on the Functioning of the European Union*, and in particular *Articles 168(4) and 169(3), and Article 114* thereof,

### Justification

*To ensure a high level of health protection for EU citizens in the event of radioactive contamination and to give democratic legitimacy to the adoption of this regulation, the legal basis should be changed under the new Lisbon Treaty to give the European Parliament a decision-making role on a regulation potentially affecting public health. The proposal is to consider public health (Article 168) and consumer protection (Article 169(1)).*

#### Amendment 29

**Claudiu Ciprian Tănăsescu**

#### Proposal for a regulation

##### Citation 1

*Text proposed by the Commission*

Having regard to the Treaty *establishing the European Atomic Energy Community*, and in particular *Articles 31 and 32* thereof,

*Amendment*

Having regard to the Treaty *on the Functioning of the European Union*, and in particular *Article 168(4) and Article 114* thereof,

Or. en

#### Amendment 30

**Claudiu Ciprian Tănăsescu**

#### Proposal for a regulation

##### Recital 1

*Text proposed by the Commission*

(1) Council Directive **96/29/Euratom**<sup>16</sup> lays down basic safety standards for *the protection of the health of workers and the general public* against the dangers arising from *ionizing* radiation.

*Amendment*

(1) Council Directive **2013/59/Euratom**<sup>16</sup> lays down basic safety standards for protection against the dangers arising from *exposure to ionising* radiation.

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<sup>16</sup> Council Directive **96/29/Euratom** of **13 May 1996** laying down basic safety standards for the protection *of the health of workers and the general public* against

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<sup>16</sup> Council Directive **2013/59/Euratom** of **5 December 2013** laying down basic safety standards for the protection against the dangers arising from exposure to ionising

the dangers arising from ionizing radiation  
(OJ L 159, 29.6.1996, p. 1.)

radiation, *and repealing Directives  
89/618/Euratom, 90/641/Euratom,  
96/29/Euratom, 97/43/Euratom and  
2003/122/Euratom*(OJ L 13, 17.1.2014, p.  
1.)

Or. en

**Amendment 31**  
**Ivo Belet**

**Proposal for a regulation**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*(1a) In accordance with article 168 of the  
Treaty on the Functioning of the  
European Union, a high level of human  
health protection should be ensured in the  
definition and implementation of all  
Union policies and activities.*

Or. en

**Amendment 32**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*(1a) In accordance with Article 168 of the  
Treaty on the Functioning of the  
European Union, a high level of human  
health protection should be ensured in the  
definition and implementation of all EU  
policies and activities.*

Or. fr

**Amendment 33**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) Following the accident at the Chernobyl nuclear power-station on 26 April 1986, considerable quantities of radioactive materials were released into the atmosphere, contaminating foodstuffs and feedingstuffs in several European countries to levels *significant from the* health point of view. Measures were adopted to ensure that certain agricultural products *are* only introduced into the Union according to the common arrangements *which* safeguard the health of the population while maintaining the unified nature of the market and avoiding deflections of trade.

*Amendment*

(2) Following the accident at the Chernobyl nuclear power-station on 26 April 1986, considerable quantities of radioactive materials were released into the atmosphere, contaminating foodstuffs and feedingstuffs in several European countries to *significant* levels *from a* health point of view, *causing life-threatening illnesses and health conditions. A high level of radioactive contamination still persists today. Given that the radioactive material released contaminated air, water, soil and vegetation,* measures were adopted to ensure that certain agricultural products *were* only introduced into the Union according to the common arrangements *in order to* safeguard the health of the population while maintaining the unified nature of the market and avoiding deflections of trade.

Or. en

**Amendment 34**  
**Sylvie Goddyn, Jean-François Jalkh, Mireille D'Ornano**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) Following the accident at the Chernobyl nuclear power-station on 26 April 1986, considerable quantities of radioactive materials were released into the atmosphere, contaminating foodstuffs and feedingstuffs in several European countries to levels significant from the health point

*Amendment*

(2) Following the accident at the Chernobyl nuclear power-station on 26 April 1986, considerable quantities of radioactive materials were released into the atmosphere, contaminating foodstuffs and feedingstuffs in several European countries to levels significant from the health point

of view. Measures were adopted to ensure that certain agricultural products are only introduced into the Union according to *the* common arrangements *which safeguard the health of the population while maintaining the unified nature of the market and avoiding deflections of trade.*

of view. Measures were adopted to ensure that certain agricultural products are only introduced into the Union according to common arrangements. *The fact that it is impossible to protect people against all contamination pathways (in particular where contamination is airborne) shows that there are limits when it comes to controlling nuclear technology.*

Or. fr

**Amendment 35**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*(2a) It is a proven fact that higher doses of radiation have a harmful and destructive effect on the body's cells and can give rise to cancers.*

Or. en

**Amendment 36**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 2 b (new)**

*Text proposed by the Commission*

*Amendment*

*(2b) It is important to set low thresholds for maximum permitted levels of radioactive contamination in food, to take into account the higher cumulative dose caused by contaminated food that is eaten over an extended period of time.*

Or. en



**Amendment 37**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) Council Regulation (Euratom) No 3954/87<sup>17</sup> lays down maximum permitted levels of radioactive contamination to be applied following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to significant radioactive contamination of food and feed. Those maximum permitted levels are still in line with the latest scientific advice as presently available internationally.

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<sup>17</sup> Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L 371, 30.12.1987, p. 11).

*Amendment*

(3) Council Regulation (Euratom) No 3954/87<sup>17</sup> lays down maximum permitted levels of radioactive contamination to be applied following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to significant radioactive contamination of food and feed. Those maximum permitted levels are still in line with the latest scientific advice as presently available internationally ***and should be periodically reviewed and updated to take into account new scientific evidence.***

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<sup>17</sup> Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L 371, 30.12.1987, p. 11).

Or. en

**Amendment 38**  
**Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

**Proposal for a regulation**  
**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3a) CODEX STAN 193-1995 (last reviewed in 2013) proposes specific criteria for radionuclides in food. These***

*maximum levels laid down by the Codex Alimentarius Commission are more restrictive than Regulation (Euratom) No 3954/87 and also lower than in the Commission proposal regarding this Regulation. Moreover, Codex Standard 193 takes into account and sets maximum levels for a higher number of radionuclides.*

Or. en

**Amendment 39**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) Following the accident at the Fukushima nuclear power station on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the *action* levels *in food* applicable in Japan. Such contamination may constitute a threat to public and animal health in the Union and therefore measures were adopted imposing special conditions governing the import of feed and food originating in or consigned from Japan, in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

*Amendment*

(4) Following the accident at the Fukushima nuclear power station on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the *threshold* levels applicable in Japan *for food*. Such contamination may constitute a threat to public and animal health in the Union and therefore measures were adopted imposing special conditions governing the import of feed and food originating in or consigned from Japan, in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health. *Measures should also be put in place to monitor and minimise the risk of consumption of food products from other countries affected by the radioactive fallout from a nuclear accident in another country.*

Or. en

## Amendment 40

Sylvie Goddyn, Jean-François Jalkh, Mireille D'Ornano

### Proposal for a regulation

#### Recital 4

Text proposed by the Commission

(4) Following the accident at the Fukushima nuclear power station on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the action levels in food applicable in Japan. Such contamination may constitute a threat to public and animal health in the Union and therefore measures were adopted imposing special conditions governing the import of feed and food originating in or consigned from Japan, in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

Amendment

(4) Following the accident at the Fukushima nuclear power station on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the action levels in food applicable in Japan. Such contamination may constitute a threat to public and animal health in the Union and therefore measures were adopted imposing special conditions governing the import of feed and food originating in or consigned from Japan, in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

*It should be noted that on 24 February 2012 the Japanese authorities adopted new maximum permitted levels for the sum of caesium-134 and caesium-137 as of 1 April 2012, and that those levels are lower than those laid down in Regulation (Euratom) No 3954/87. The levels set by the Japanese authorities for public health reasons are only applicable in the EU for products imported from Japan. The levels that apply to all other foodstuffs – which are higher than the Japanese levels – are therefore those laid down in Regulation (Euratom) No 3954/87. By way of an example, therefore, the maximum levels of caesium-134 and caesium-137 that are now authorised in Japan for food for infants and young children, and for dairy products, are 50Bq/kg, whilst in the EU they are 400Bq/kg and 1 000Bq/kg respectively.*

Or. fr

**Amendment 41**  
**Ivo Belet**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) There is a need to set up a system allowing the **European Atomic Energy Community**, following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to a significant radioactive contamination of food and feed, to establish maximum permitted levels of radioactive contamination in order to **protect the population**.

*Amendment*

(5) There is a need to set up a system allowing the **Union**, following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to a significant radioactive contamination of food and feed, to establish maximum permitted levels of radioactive contamination in order to **ensure a high level of public health protection**.

Or. en

**Amendment 42**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) There is a need to set up a system allowing the **European Atomic Energy Community**, following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to a significant radioactive contamination of food and feed, to establish maximum permitted levels of radioactive contamination in order to protect the population.

*Amendment*

(5) There is a need to set up a system allowing the **Union**, following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to a significant radioactive contamination of food and feed, to establish maximum permitted levels of radioactive contamination in order to protect **the health and safety of the population**.

Or. en

**Amendment 43**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) Maximum permitted levels of radioactive contamination should apply to food and feed originating in the Union or imported from third countries according to the location and circumstances of the nuclear accident or the radiological emergency.

*Amendment*

(6) Maximum permitted levels of radioactive contamination should apply to food and feed originating in the Union or imported from third countries according to the location and circumstances of the nuclear accident or the radiological emergency, ***taking into account the effect of natural and cumulative radiation as it moves up the food chain. Periodic revisions of these levels should be in place.***

Or. en

**Amendment 44**  
**Mireille D’Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) Maximum permitted levels of radioactive contamination should apply to food and feed originating in the Union or imported from third countries according to the location and circumstances of the nuclear accident or the radiological emergency.

*Amendment*

(6) Maximum permitted levels of radioactive contamination ***laid down by the EU*** should apply to food and feed originating in the Union or imported from third countries according to the location and circumstances of the nuclear accident or the radiological emergency.

Or. fr

**Amendment 45**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) In order to take into account that diets of infants during the first six months period of life may vary significantly, and to allow for uncertainties in the metabolism of infants during the second six months period of life, there is a benefit in extending the application of lower maximum permitted levels for foods for infants, to the whole first 12 months of age.

*Amendment*

(8) In order to take into account that diets of infants during the first six months period of life may vary significantly, and to allow for uncertainties in the metabolism of infants during the second six months period of life, there is a benefit in extending the application of lower maximum permitted levels for foods for infants, to the whole first 12 months of age.  
***Lower maximum permitted levels for foods should be applied to pregnant and breastfeeding women.***

Or. en

**Amendment 46**  
**Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) In order to take into account that diets of infants during the first six months period of life may vary significantly, and to allow for uncertainties in the metabolism of infants during the second six months period of life, there is a benefit in extending the application of lower maximum permitted levels for foods for infants, to the whole first 12 months of age.

*Amendment*

(8) In order to take into account that diets of infants during the first six months period of life may vary significantly, and to allow for uncertainties in the metabolism of infants during the second six months period of life, there is a benefit in extending the application of lower maximum permitted levels for foods for infants, to the whole first 12 months of age.  
***There is as well a benefit in extending the application of lower maximum permitted levels for foods for pregnant and breastfeeding women.***

Or. en

## Amendment 47

Sylvie Goddyn, Jean-François Jalkh, Mireille D'Ornano

### Proposal for a regulation

#### Recital 8

Text proposed by the Commission

(8) In order to take into account *that diets of infants during the first six months period of life may vary significantly, and to allow for uncertainties in the metabolism of infants during the second six months period of life*, there is a benefit in extending the application of lower maximum permitted levels for foods for infants, to the *whole* first *12* months of *age*.

Amendment

(8) In order to take into account *the fragility of young children*, there is a benefit in extending the application of lower maximum permitted levels for foods for infants *and young children* to *fully cover* the first *36* months of *their lives*.

Or. fr

## Amendment 48

Claudiu Ciprian Tănăsescu

### Proposal for a regulation

#### Recital 9

*Text proposed by the Commission*

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, *procedures for establishing the maximum permitted levels* should *include the consultation of the Group of Experts referred to in Article 31 of the Treaty*.

*Amendment*

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge *and technical progress at international level*, *the Commission* should *present a new proposal to adapt the maximum permitted levels to the European Parliament and the Council*.

Or. en

## Amendment 49

Ivo Belet

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of *the Group of Experts referred to in Article 31 of the Treaty*.

*Amendment*

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of *a committee of independent scientific experts on public health and food safety, selected according to scientific criteria*.

Or. en

**Amendment 50**  
**Mireille D’Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of the Group of Experts referred to in Article 31 of the Treaty.

*Amendment*

(9) In order to facilitate the adaptation of maximum permitted levels *laid down by the EU*, in particular with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of the Group of Experts referred to in Article 31 of the Treaty.

Or. fr

**Amendment 51**  
**Jean-François Jalkh, Mireille D’Ornano, Sylvie Goddyn**

**Proposal for a regulation**  
**Recital 9**



Text proposed by the Commission

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of the Group of Experts referred to in Article 31 of the Treaty.

Amendment

(9) In order to facilitate the adaptation of maximum permitted levels, ***and only*** with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of the Group of Experts referred to in Article 31 of the Treaty.

***When the maximum levels are updated, account should be taken of more protective public health legislation in third countries, and in particular scientific data held by Japan.***

Or. fr

**Amendment 52**

**Sylvie Goddyn, Jean-François Jalkh, Mireille D'Ornano**

**Proposal for a regulation**

**Recital 9**

Text proposed by the Commission

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of the Group of Experts referred to in Article 31 of the Treaty.

Amendment

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, procedures for establishing the maximum permitted levels should include the consultation of the Group of Experts referred to in Article 31 of the Treaty.

***When the maximum levels are updated, account will need to be taken of more protective public health legislation in third countries, and in particular scientific data held by Japan.***

Or. fr

**Justification**

*The significant gap between the maximum levels permitted by the EU and by Japan shows*

*that it is possible and desirable, from a public health point of view, to lay down levels that are more protective.*

### **Amendment 53**

**Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

#### **Proposal for a regulation**

#### **Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9a) Following the Opinion of the European Economic and Social Committee 2011/C 48/28, there is a need to take into account the Codex Alimentarius (CODEX STAN 193-1995) criteria when laying down maximum radionuclide levels.***

*([http://www.fao.org/fileadmin/user\\_upload/livestockgov/documents/1\\_CXS\\_193e.pdf](http://www.fao.org/fileadmin/user_upload/livestockgov/documents/1_CXS_193e.pdf))*

Or. en

#### *Justification*

*An official opinion does suggest to take into account these maximum levels laid down by the Codex Alimentarius Commission, which are more restrictive than EURATOM Regulation 3954/87 and also lower than COM(2013)0943; hence it is important to make a reference to them.*

### **Amendment 54**

**Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

#### **Proposal for a regulation**

#### **Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9a) Following the Opinion of the European Economic and Social Committee 2011/C 48/28, the EFSA should be entrusted with the task of carrying out the risk analysis regarding***

*radionuclides in food, as up-to-date risk analysis regarding radionuclides' presence in European diet would make possible a more detailed regulation of some food groups according to their consumption frequency. The clearest example can be the dairy products; milk consumption and cheese consumption are included in the same group (dairy products), with the same maximum permitted levels, but the consumption level is very different for these two products.*

Or. en

### *Justification*

*The performance of risk analysis by EFSA regarding radionuclides in food and feed, would make possible a more detailed regulation of some food groups; indeed such analysis would also help on creating know-how on this are which lacks of a broad information base.*

**Amendment 55**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Recital 9 a (new)**

Text proposed by the Commission

Amendment

*(9a) In order to facilitate the adaptation of maximum permitted levels, procedures should be introduced to allow the regular consultation of experts. A group of experts should be established by the Commission on the basis of scientific and ethical criteria. The Commission should make public the group's composition and its members' declarations of interests. In adapting the maximum permitted levels, the Commission should also consult experts from international bodies in the field of radiation protection, independent experts from pro-nuclear organisations and nuclear operators.*

### **Justification**

*There is currently no transparent information on the composition of the Group of Experts referred to in Article 31 of the Euratom Treaty. The group's composition must be determined in a clear and transparent manner under the responsibility of the Commission, as is the case for other scientific committees, particularly in the field of health and consumer protection.*

#### **Amendment 56**

**Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

#### **Proposal for a regulation**

##### **Recital 9 b (new)**

*Text proposed by the Commission*

*Amendment*

***(9b) The Group of Experts should also estimate the cumulative effect.***

Or. en

### *Justification*

*Perhaps the doses are not reached by any food, but if one person consumes different foods with radioactive contamination a bit below these limits could acquire a considerable level of radiation.*

#### **Amendment 57**

**Michèle Rivasi**

#### **Proposal for a regulation**

##### **Recital 9 b (new)**

*Text proposed by the Commission*

*Amendment*

***(9b) The maximum permitted levels should be made public and regularly revised to take due account of the latest scientific advances and advice as presently available internationally, to reflect the need to reassure the public and to provide it with a high level of protection and to avoid divergences in international***

*regulatory practice.*

Or. fr

### **Justification**

*Les niveaux maximaux admissibles sont des limites dérivées de la limite de dose qui sert de référence. La limite de dose (en mSv) indique le niveau de risque jugé acceptable. La US FDA a choisi 5 mSv pour la limite de dose efficace (corps entier) et 50 mSv pour la limite de dose à l'organe, le niveau de risque acceptable est un mort par cancer pour 4400 personnes consommant 30% d'aliments contaminés aux niveaux maximaux qu'elle a choisis. C'est un niveau de risque élevé. Pour la totalité de la population européenne, cela représenterait près de 114 000 décès imputables à la consommation des aliments « légalement » contaminés, sans compter les cancers non mortels, maladies génétiques et autres problèmes.*

### **Amendment 58**

**Claudiu Ciprian Tănăsescu**

### **Proposal for a regulation**

#### **Recital 10**

*Text proposed by the Commission*

(10) In order to ensure that food and feed exceeding the maximum permitted levels are not placed on the market of the **EU**, compliance with these levels should be the subject of **appropriate** checks.

*Amendment*

(10) In order to ensure that food and feed exceeding the maximum permitted levels are not placed on the market of the **Union**, compliance with these levels should be the subject of **thorough** checks **by the Member States and the Commission; sanctions for non-compliance should be applied and the public informed accordingly.**

Or. en

### **Amendment 59**

**Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

### **Proposal for a regulation**

#### **Recital 10**

*Text proposed by the Commission*

(10) In order to ensure that food and feed

*Amendment*

(10) In order to ensure that food and feed

exceeding the maximum permitted levels are not placed on the market of the **EU**, compliance with these levels should be the subject of appropriate checks.

exceeding the maximum permitted levels are not placed on the market of the **Union**, compliance with these levels should be the subject of appropriate checks, *though the establishment of a regulated authority in order to assure the compliance of the regulation by the Member States.*

Or. en

#### *Justification*

*Even if there is a regulation with acceptance of doses, but if there is no enough control it would not be useful, hence certain type of regulated authority is needed.*

### **Amendment 60** **Michèle Rivasi**

#### **Proposal for a regulation** **Recital 12**

##### Text proposed by the Commission

(12) The examination procedure should be used for the adoption of acts rendering applicable the pre-established maximum permitted levels of radioactive contamination of food and feed.

##### Amendment

(12) The examination procedure should be used for the adoption of acts rendering applicable the pre-established maximum permitted levels of radioactive contamination of food and feed. *In the event of a nuclear accident or any other radiological emergency, it is nevertheless necessary to take due account of the particular circumstances and conditions applying to each accident, and, therefore, to establish a procedure allowing the rapid lowering of these pre-established maximum permitted levels, and, if necessary the introduction of maximum permitted levels for other radionuclides (notably tritium) involved in the accident, with a view to ensuring the highest possible level of public protection. The public should be informed immediately of the measure and of the maximum levels.*

Or. fr

## Justification

*Les accidents nucléaires ou les urgences radiologiques pouvant être de nature différente et concerner des radionucléides différents, il faut prévoir un mécanisme de révision rapide. La flexibilité pour répondre aux cas spécifiques de chaque accident est aussi l'approche prévue par la US FDA qui recommande l'évaluation immédiate après un accident pour s'assurer que les niveaux en place soient appropriés à la situation. Les normes préétablies ne doivent pas être définies par rapport à une configuration optimiste mais par rapport à une configuration pénalisante. De cette façon, on part d'un niveau de protection a priori adéquat et on peut assouplir le dispositif une fois connu l'intensité, la composition et l'étendue des retombées radioactives.*

### Amendment 61

Michèle Rivasi

#### Proposal for a regulation

##### Recital 13

Text proposed by the Commission

(13) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to certain radiological emergencies which are likely to lead or have led to a significant radioactive contamination of food and feed, imperative grounds of urgency so require.

Amendment

(13) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to certain radiological emergencies which are likely to lead or have led to a significant radioactive contamination of food and feed, imperative grounds of urgency so require. ***The public should be informed immediately of the measure and of the maximum levels.***

Or. fr

### Amendment 62

Sylvie Goddyn, Jean-François Jalkh, Mireille D'Ornano

#### Proposal for a regulation

##### Recital 13

Text proposed by the Commission

(13) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to

Amendment

(13) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to

certain radiological emergencies which are likely to lead or have led to a significant radioactive contamination of food and feed, imperative grounds of urgency so require.

certain radiological emergencies which are likely to lead or have led to a significant radioactive contamination of food and feed, imperative grounds of urgency so require.

***When they are aware of a radioactivity risk covered by this Regulation, the Member States themselves must be able to take urgent action without waiting for the Commission to act under Article 36 of the Treaty on the Functioning of the European Union.***

Or. fr

**Amendment 63**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Recital 13 a (new)**

Text proposed by the Commission

Amendment

***(13a) The adoption of the maximum permitted levels under this Regulation should be based on the protection requirements for the most critical and vulnerable population groups, in particular children and people in isolated geographic areas or those practising subsistence farming. The maximum permitted levels should be the same for the entire population and should be based on the lowest levels.***

Or. fr

**Justification**

*This is also the approach applied by the US FDA, which, in 1998, after studying the derived levels for various age groups, recommended adopting the strictest level by age group and by radionuclide, guaranteeing a high level of protection for the entire population on the basis of protection for the most vulnerable, and thereby simplifying the implementation of recommendations (i.e. same diet for all family members).*



**Amendment 64**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Recital 13 b (new)**

Text proposed by the Commission

Amendment

*(13b) In the event of a nuclear accident or radiological emergency which requires the maximum permitted levels to be applied, the public should be informed of the levels in force, both by the Commission and by each Member State. Furthermore, the public should also be provided with information about food and feed liable to accumulate stronger concentrations of radioactivity.*

Or. fr

**Justification**

*The obligation to provide information is not contained in the regulation, but is essential for its implementation.*

**Amendment 65**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Recital 13 c (new)**

Text proposed by the Commission

Amendment

*(13c) Compliance with the maximum permitted levels should be the subject of appropriate checks, and sanctions should be introduced for the export, import or sale of foodstuffs exceeding the maximum permitted contamination levels.*

Or. fr

## Justification

*For obvious ethical reasons, it is not acceptable to export food with levels of contamination that exceed permitted European levels. Furthermore, it is the EU's duty to protect its citizens and officials wherever they are – whether they are living or travelling within or outside the EU.*

### **Amendment 66** **Michèle Rivasi**

#### **Proposal for a regulation** **Article 1**

Text proposed by the Commission

This Regulation lays down the maximum permitted levels of radioactive contamination of food as set out in Annex I, *the maximum permitted levels of minor food as set out in Annex II*, and the maximum permitted levels of radioactive contamination of feed as set out in Annex III, which may be placed on the market following a nuclear accident or any other case of radiological emergency which is likely to lead to or has led to significant radioactive contamination of food and feed, and the procedures to render these maximum permitted levels applicable.

Amendment

This Regulation lays down the maximum permitted levels of radioactive contamination of food as set out in Annex I, and the maximum permitted levels of radioactive contamination of feed as set out in Annex III, which may be placed on the market following a nuclear accident or any other case of radiological emergency which is likely to lead to or has led to significant radioactive contamination of food and feed, and the procedures to render these maximum permitted levels applicable.

Or. fr

### **Amendment 67** **Jean-François Jalkh, Sylvie Goddyn, Mireille D'Ornano**

#### **Proposal for a regulation** **Article 2 – point 1 – introductory part**

Text proposed by the Commission

1) 'food' means any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans,

Amendment

1) 'food' means any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans *or*

including drink, chewing gum and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment; 'food' does not include:

*animals*, including drink, chewing gum and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment; 'food' does not include:

Or. fr

#### **Amendment 68**

**Jean-François Jalkh, Sylvie Goddyn, Mireille D'Ornano**

#### **Proposal for a regulation**

#### **Article 2 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) feed;*

*deleted*

Or. fr

#### **Amendment 69**

**Jean-François Jalkh, Sylvie Goddyn, Mireille D'Ornano**

#### **Proposal for a regulation**

#### **Article 2 – point 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) live animals unless they are *prepared* for placing on the market for human consumption;

(b) live animals unless they are *reared* for placing on the market for human consumption;

Or. fr

#### **Amendment 70**

**Michèle Rivasi**

#### **Proposal for a regulation**

#### **Article 2 – point 2**

*Text proposed by the Commission*

*Amendment*

2) "*minor food*" means *food of minor*

*deleted*

*dietary importance which makes only a marginal contribution to food consumption by the population;*

Or. fr

*Justification*

*The issue is not so much the frequency with which an individual foodstuff is consumed in a given diet, but rather the accumulation of doses from a range of sources, be these dietary or otherwise. This amendment applies throughout the text.*

**Amendment 71**  
**Tibor Szanyi**

**Proposal for a regulation**  
**Article 2 – point 3**

*Text proposed by the Commission*

3) ‘feed’ means any substance or product, including *additives, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals;*

*Amendment*

3) ‘feed’ means any substance or product *as defined in Article 3 of the Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>1a</sup>, including 'medicated feed' as defined in point (a) of Article 2(2) of Regulation (EU) 2015/...<sup>1b</sup>;*

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<sup>1a</sup> *Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 031, 1.2.2002, p.1).*

<sup>1b</sup> *OJ Please insert the publication reference of document in procedure 2014/0255 (COD).*

Or. en

**Amendment 72**  
**Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

**Proposal for a regulation**  
**Article 2 – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a) "food/ feed contact materials" means packages and other materials intended to be in contact with food.***

Or. en

*Justification*

*It is necessary to consider the possible contamination of packages, so, if food does not come from a contaminated area but the package has been produced in a contaminated area, the final food could have radiation. It is necessary to consider these aspect, not only the food origin but also the package origin to decide which foods to control*

**Amendment 73**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 2 – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a) "radioactive substance" means any substance that contains one or more radionuclides, the activity or concentration of which cannot be disregarded as far as radiation protection is concerned;***

Or. en

**Amendment 74**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 2 – point 4 b (new)**

*Text proposed by the Commission*

*Amendment*

***4b) "radiological emergency" situation means an unusual event that involves a radiation source and requires immediate intervention to mitigate any serious health or safety threats, or any adverse consequences to the quality of life, to property or to the environment, or represents a danger that could lead to such adverse consequences.***

Or. en

**Amendment 75**

**Michèle Rivasi**

**Proposal for a regulation**

**Article 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 2a***

***Practices consisting of blending foodstuffs containing concentrations above those permitted by the rules with uncontaminated or mildly contaminated foodstuffs so as to obtain a product conforming to the rules shall not be authorised.***

Or. fr

**Amendment 76**

**Nicola Caputo**

**Proposal for a regulation**

**Article 3 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. In the event of the Commission receiving — in particular according to

1. In the event of the Commission receiving — in particular according to

either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident — official information on accidents or on any other case of radiological emergency, substantiating that the maximum permitted levels for food, minor food or feed are likely to be reached or have been reached, it shall adopt, *if the circumstances so require*, an implementing Regulation *rendering applicable those maximum permitted* levels. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).

either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident — official information on accidents or on any other case of radiological emergency, substantiating that the maximum permitted levels *of radioactive contamination of* food, minor food or feed are likely to be reached or have been reached, it shall adopt an implementing Regulation *laying down* maximum levels *of radioactive residues in food, which may not exceed the levels specified in the Annexes to this Regulation*. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).

Or. it

#### *Justification*

*The maximum permitted levels following a nuclear accident or radiological emergency, as specified in the annexes, have been approved by a group of experts set up under Article 31 of the Euratom Treaty and listed in the Commission's 'Publication Radiation Protection 105'.*

#### **Amendment 77** **Claudiu Ciprian Tănăsescu**

#### **Proposal for a regulation** **Article 3 – paragraph 1**

##### *Text proposed by the Commission*

1. In the event of the Commission receiving - in particular according to either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident - official information

##### *Amendment*

1. In the event of the Commission receiving — in particular according to either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident — official

on accidents or on any other case of radiological emergency, substantiating that the maximum permitted levels for food, minor food or feed are likely to be reached or have been reached, ***it shall adopt***, if the circumstances so require, an implementing Regulation rendering applicable those maximum permitted levels. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).

information on accidents or on any other case of radiological emergency, substantiating that the maximum permitted levels for food, minor food or feed are likely to be reached or have been reached, if the circumstances so require, ***the Commission shall adopt, in the shortest time possible***, an implementing Regulation rendering applicable those maximum permitted levels. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).

Or. en

## **Amendment 78** **José Inácio Faria**

### **Proposal for a regulation** **Article 3 – paragraph 1**

#### *Text proposed by the Commission*

1. In the event of the Commission receiving — in particular according to either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident — official information on accidents or on any other case of radiological emergency, substantiating that the maximum permitted levels for food, minor food or feed are likely to be reached or have been reached, it shall adopt, ***if the circumstances so require***, an implementing Regulation rendering applicable those maximum permitted levels. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).

#### *Amendment*

1. In the event of the Commission receiving — in particular according to either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident — official information on accidents or on any other case of radiological emergency, substantiating that the maximum permitted levels for food, minor food or feed are likely to be reached or have been reached, it shall adopt an implementing Regulation rendering applicable those maximum permitted levels. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).



**Amendment 79**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 3 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The maximum permitted levels shall be made public and regularly revised to take due account of the latest scientific advances and advice as presently available internationally, to reflect the need to reassure the public and to provide them with a high level of protection and to avoid divergences with international regulatory practices which provide higher levels of protection.***

Or. fr

**Amendment 80**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 3 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. On duly justified imperative grounds of urgency relating to the circumstances of the nuclear accident or the radiological emergency, the Commission shall adopt an immediately applicable implementing Regulation in accordance with the procedure referred to in Article 5(3).

2. On duly justified imperative grounds of urgency relating to the circumstances of the nuclear accident or the radiological emergency, the Commission shall adopt an immediately applicable implementing Regulation in accordance with the procedure referred to in Article 5(3) ***in full transparency and assisted by a committee of independent scientific experts on radiation, public health and food safety.***

Or. en

**Amendment 81**  
**Nicola Caputo**

**Proposal for a regulation**  
**Article 3 – paragraph 2**

*Text proposed by the Commission*

2. On *duly justified* imperative grounds of urgency relating to the circumstances of the nuclear accident or the radiological emergency, the Commission shall adopt an immediately applicable implementing Regulation in accordance with the procedure referred to in Article 5(3).

*Amendment*

2. On imperative grounds of urgency relating to the circumstances of the nuclear accident or the radiological emergency, the Commission shall adopt an immediately applicable implementing Regulation in accordance with the procedure referred to in Article 5(3).

Or. it

**Amendment 82**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 3 – paragraph 3**

*Text proposed by the Commission*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account *the basic standards laid down in accordance with Articles 30 and 31 of the Treaty, including* the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public and *economic and societal factors* into account.

*Amendment*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public, and *particularly of the most vulnerable segments of society*, into account.

Or. fr

**Amendment 83**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 3 – paragraph 3**

*Text proposed by the Commission*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with **Articles 30 and 31 of the Treaty**, including the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public and economic and societal factors into account.

*Amendment*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account **Articles 168 and 114 of the TFEU and the basic safety standards** laid down in accordance with **Directive 2013/59/Euratom** including the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public and economic and societal factors into account.

Or. en

**Amendment 84**  
**Ivo Belet**

**Proposal for a regulation**  
**Article 3 – paragraph 3**

*Text proposed by the Commission*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with **Articles 30 and 31 of the Treaty**, including the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public and economic and societal factors into account.

*Amendment*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with **Council Directive 2013/59/Euratom**, including the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public and economic and societal factors into account. **For this purpose, the Commission shall be assisted by a committee of independent scientific**

**Amendment 85**  
**José Inácio Faria**

**Proposal for a regulation**  
**Article 3 – paragraph 3**

*Text proposed by the Commission*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with Articles 30 and 31 of the Treaty, including the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public *and economic and societal factors* into account.

*Amendment*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with Articles 30 and 31 of the Treaty, including the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public into account.

**Amendment 86**  
**Aldo Patriciello**

**Proposal for a regulation**  
**Article 3 – paragraph 3**

*Text proposed by the Commission*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with Articles 30 and 31 of the Treaty, including the principle that all exposures shall be kept as low as reasonably achievable, taking the

*Amendment*

3. When preparing the draft implementing act referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with Articles 30 and 31 of the Treaty, including the principle that all exposures shall be kept as low as reasonably achievable, taking the

protection of the health of the general public and economic and societal factors into account.

protection of the health of the general public and economic and societal factors into account *as a matter of priority*.

Or. it

**Amendment 87**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

1. As soon as the Commission adopts an implementing Regulation rendering applicable maximum permitted levels, food or feed not in compliance with those maximum permitted levels shall not be placed on the market.

*Amendment*

1. As soon as the Commission adopts an implementing Regulation rendering applicable maximum permitted levels, food or feed not in compliance with those maximum permitted levels shall not be placed on the market. ***Sanctions shall be applied in case of non-compliance.***

Or. en

**Amendment 88**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

1. As soon as the ***Commission adopts an implementing*** Regulation rendering applicable maximum permitted levels, food or feed not in compliance with those maximum permitted levels shall not be placed on the market.

*Amendment*

1. As soon as the ***Commission presents to the European Parliament and the Council a*** regulation rendering applicable maximum permitted levels, food or feed not in compliance with those maximum permitted levels shall not be placed on the market.

Or. fr

**Amendment 89**  
**José Inácio Faria**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

1. As soon as the Commission adopts an implementing Regulation rendering applicable maximum permitted levels, food or feed not in compliance with those maximum permitted levels shall not be placed on the market.

*Amendment*

1. As soon as the Commission adopts an implementing Regulation rendering applicable maximum permitted levels, food, ***minor food***, or feed not in compliance with those maximum permitted levels shall not be placed on the market.

Or. pt

**Amendment 90**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall put in place a nuclear liability regime that is to address the concerns of all the Member States that might be affected by a nuclear accident; this system shall provide for appropriate compensation in case of nuclear accidents.***

Or. en

**Amendment 91**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***For the purposes of applying*** this

This Regulation ***shall also apply to*** food or

Regulation, food or feed imported from third countries *shall be considered to be placed on the market if, on the customs territory of the Union, they undergo a customs procedure other than a transit procedure.*

feed imported from third countries, *in customs transit or intended for export.*

Or. fr

**Amendment 92**  
**José Inácio Faria**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

For the purposes of applying this Regulation, food or feed imported from third countries shall be considered to be placed on the market if, on the customs territory of the Union, *they undergo* a customs procedure other than a transit procedure.

*Amendment*

For the purposes of applying this Regulation, food, *minor food*, or feed imported from third countries shall be considered to be placed on the market if, on the customs territory of the Union, *it undergoes* a customs procedure other than a transit procedure.

Or. pt

**Amendment 93**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*Member States shall monitor compliance with the maximum permitted levels of radioactive contamination within their territories. For that purpose Member States shall maintain a system of official controls for foodstuffs and feedingstuffs, and undertake other activities as appropriate in the circumstances, including public communication on food and feed safety and risks, in accordance*

*with Article 17 of Regulation (EC) No 178/2002.*

Or. fr

**Amendment 94**  
**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning cases of non-compliance with the maximum permitted levels. The Commission shall communicate such information to the other Member States.

*Amendment*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning cases of non-compliance with the maximum permitted levels. The Commission shall communicate such information to the other Member States. ***With regard to transparency, the public shall have online access to information on non-compliance with maximum permitted levels. A call centre shall be established where emergency situations can be reported swiftly.***

Or. en

**Amendment 95**  
**Piernicola Pedicini, Eleonora Evi, Marco Affronte**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning cases of non-compliance with the maximum permitted levels.

*Amendment*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning:



*(a) the regular scheduling of checks on the maximum permitted levels on its national territory;*

*(b) the persons responsible for administrative procedures for monitoring the maximum permitted levels;*

*(c) cases of non-compliance with the maximum permitted levels.*

The Commission shall communicate such information to the other Member States.

The Commission shall communicate such information to the other Member States.

Or. it

**Amendment 96**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning cases of non-compliance with the maximum permitted levels. The Commission shall communicate such information to the other Member States.

*Amendment*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning cases of non-compliance with the maximum permitted levels. The Commission shall communicate such information to the other Member States. ***The Commission shall impose penalties on Member States which themselves fail to impose penalties for the placing on the market or exportation of feed exceeding the maximum permitted levels of contamination.***

Or. fr

**Amendment 97**  
**Aldo Patriciello**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning cases of non-compliance with the maximum permitted levels. The Commission shall communicate such information to the other Member States.

*Amendment*

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning cases of non-compliance with the maximum permitted levels. The Commission shall provide this information to the other Member States *without delay*.

Or. it

**Amendment 98**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*Each Member State and the Commission shall inform the public of the levels in force and provide information about foodstuffs liable to accumulate higher concentrations of radioactivity.*

Or. fr

**Amendment 99**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*The Annexes shall take into account the effect of the partial decay of radioactive isotopes during the shelf life of preserved foodstuffs. Depending on the type of contamination, for example contamination with iodine isotopes, the*

*radioactivity of preserved foodstuffs  
should be constantly monitored.*

Or. fr

**Amendment 100**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 1c (new)**

*Text proposed by the Commission*

*Amendment*

*The public shall be provided with  
information on all violations of this  
Regulation and on the penalties applied.*

Or. fr

**Amendment 101**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 1d (new)**

*Text proposed by the Commission*

*Amendment*

*The public shall be notified of the results  
of the controls at the earliest opportunity.  
These shall indicate, inter alia, the  
product type, brand, origin, date of  
sampling, date of analysis, specific  
activity, associated uncertainty and, where  
applicable, the limit of detection.*

Or. fr

**Amendment 102**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall, by 31 March 2017, submit a report to the European Parliament and the Council on the appropriateness of a mechanism for compensating farmers whose foodstuffs have been contaminated beyond the maximum permitted levels of radioactive contamination and therefore cannot be placed on the market. Such a mechanism should be based on the polluter-pays principle. The report shall, if appropriate, be accompanied by a legislative proposal setting up such a mechanism.***

Or. fr

**Amendment 103**

**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**

**Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 4 a***

***Member States may implement a voluntary system for labelling food and feed coming from an area affected directly or indirectly by a nuclear accident or radiological emergency.***

Or. en

**Amendment 104**

**Michèle Rivasi**

**Proposal for a regulation**

**Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 4a**

**1. The Commission shall submit to the European Parliament and the Council, by 31 March 2017, a report on the pertinence of the maximum permitted levels of radioactive contamination set in the Annexes.**

**2. The report must enable verification of whether the maximum permitted levels of radioactive contamination ensure that the limit on the effective dose for public exposure of 1 mSv/year is respected and result in thyroid doses sufficiently below the 10 mGy reference level recommended by the WHO for the administration of stable iodine to especially vulnerable groups.**

**3. The report shall consider the possibility of reviewing the radionuclide classification and including tritium and carbon 14 in the Annexes. In assessing those maximum permitted levels, the report shall focus on the protection of the most vulnerable population groups, in particular children, and examine whether it would be appropriate to set maximum permitted levels for all categories of the population on that basis.**

Or. fr

**Amendment 105**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 5a**

**For the purposes of this Regulation, the**

*Commission shall be assisted by a committee made up of independent scientific experts on public health and food safety and of representatives of consumers and farmers. The members of the committee shall be selected according to scientific criteria. The Commission shall make public the composition of the committee of experts and its members' declarations of interests.*

Or. fr

#### *Justification*

*There is currently no transparent information on the composition of the Group of Experts referred to in Article 31 of the Euratom Treaty. The group's composition must be determined in a clear and transparent manner under the responsibility of the Commission, as is the case for other scientific committees, particularly in the field of health and consumer protection.*

#### **Amendment 106**

**Piernicola Pedicini, Marco Affronte, Eleonora Evi**

#### **Proposal for a regulation**

#### **Article 6**

##### *Text proposed by the Commission*

In order to ensure that the maximum permitted levels laid down in Annexes I, II and III take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, *adaptations to those Annexes shall be proposed by the Commission after consultation of the Group of Experts referred to in Article 31 of the Treaty establishing the European Atomic Energy Community.*

##### *Amendment*

In order to ensure that the maximum permitted levels laid down in Annexes I, II and III take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, the Commission *shall initiate studies with a view to adapting those Annexes to the latest scientific developments and shall inform the European Parliament and the Council of the findings.*

Or. it

#### **Amendment 107**

**Claudiu Ciprian Tănăsescu**

**Proposal for a regulation**  
**Article 6**

*Text proposed by the Commission*

In order to ensure that the maximum permitted levels laid down in Annexes I, II and III take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, adaptations to those Annexes shall be proposed by the Commission *after consultation of the Group of Experts referred to in Article 31 of the Treaty establishing the European Atomic Energy Community.*

*Amendment*

In order to ensure that the maximum permitted levels laid down in Annexes I, II and III take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, adaptations to those Annexes shall be proposed by the Commission *to the European Parliament and the Council after consultation of the committee of independent experts referred to in Article 3(2).*

Or. en

**Amendment 108**  
**Ivo Belet**

**Proposal for a regulation**  
**Article 6**

*Text proposed by the Commission*

In order to ensure that the maximum permitted levels laid down in Annexes I, II and III take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, adaptations to those Annexes shall be proposed by the Commission after consultation of the Group of Experts referred to in Article 31 of the Treaty establishing the European Atomic Energy Community.

*Amendment*

In order to ensure that the maximum permitted levels laid down in Annexes I, II and III take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, adaptations to those Annexes shall be proposed by the Commission after consultation of the Group of Experts referred to in Article 3(3).

Or. en

**Amendment 109**  
**Michèle Rivasi**

**Proposal for a regulation**  
**Article 6**

*Text proposed by the Commission*

In order to ensure that the maximum permitted levels laid down in Annexes ***I, II and III*** take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, ***adaptations to those Annexes shall be proposed by the Commission*** after consultation of the Group of Experts ***referred to in Article 31 of the Treaty establishing the European Atomic Energy Community*** .

*Amendment*

In order to ensure that the maximum permitted levels laid down in ***the*** Annexes take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, ***within one month at the latest following the nuclear accident or radiological emergency, and*** after consultation of the Group of Experts ***established by the Commission, the Commission shall present to the Council and the European Parliament a proposal to confirm the existing provisions or revise the levels and revise the list of radionuclides, depending on the specific situation.***

Or. fr

**Amendment 110**

**Michèle Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

**Proposal for a regulation**  
**Annex I**

*Text proposed by the Commission*

	Food (Bq/kg) <sup>1</sup>			
	Infant food <sup>2</sup>	Dairy Produce <sup>3</sup>	Other food except minor food <sup>4</sup>	Liquid food <sup>5</sup>
Isotopes of strontium, notably Sr-90	75	<b>125</b>	<b>750</b>	<b>125</b>
Isotopes of iodine, notably I-131	<b>150</b>	<b>500</b>	<b>2000</b>	<b>500</b>
Alpha-emitting isotopes of	1	<b>20</b>	<b>80</b>	<b>20</b>



plutonium and  
transplutonium  
elements, notably  
Pu-239, Am-241

All other nuclides of half-life greater than 10 days, notably Cs-134, Cs-137 <sup>6</sup>	400	1000	<b>1250</b>	1000
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<sup>1</sup> The level applicable to concentrated or dried products is calculated on the basis of the reconstituted product as ready for consumption. Member States may make recommendations concerning the diluting conditions in order to ensure that the maximum permitted levels laid down in this Regulation are observed.

<sup>2</sup> Infant food is defined as those foodstuffs intended for the feeding of infants during the first twelve months of life, which meet, in themselves, the nutritional requirements of this category of person and are put up for retail sale in packages which are clearly identified and labelled under one of the following names: “infant formula”, “follow-on formula” “infant milk” and “follow-on milk”, in accordance with articles 11 and 12 of Commission Directive 2006/141/EC.

<sup>3</sup> Dairy produce is defined as those products falling within the following CN codes including, where appropriate, any adjustments which might be made to them later: 0401, 0402 (except 0402 29 11).

<sup>4</sup> Minor food and the corresponding levels to be applied to them are set out in Annex II.

<sup>5</sup> Liquid food as defined in the heading 2009 and in chapter 22 of the combined nomenclature. Values are calculated taking into account consumption of tap-water and the same values should be applied to drinking water supplies.

<sup>6</sup> Carbon 14, tritium and potassium 40 are not included in this group.

#### *Amendment*

	Food (Bq/kg) <sup>1</sup>			
	Infant food <sup>2</sup>	Dairy Produce <sup>3</sup>	Other food except minor food <sup>4</sup>	Liquid food <sup>5</sup>
Isotopes of strontium, notably Sr-90	75	<b>100</b>	<b>100</b>	<b>100</b>
Isotopes of iodine, notably I-131	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Alpha-emitting isotopes of plutonium and transplutonium elements, notably Pu-239, Am-241	1	<b>10</b>	<b>10</b>	<b>10</b>
All other nuclides of half-life greater	400	1000	<b>1000</b>	1000

than 10 days,  
notably Cs-134,  
Cs-137<sup>6</sup>

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<sup>1</sup> The level applicable to concentrated or dried products is calculated on the basis of the reconstituted product as ready for consumption. Member States may make recommendations concerning the diluting conditions in order to ensure that the maximum permitted levels laid down in this Regulation are observed.

<sup>2</sup> Infant food is defined as those foodstuffs intended for the feeding of infants during the first twelve months of life, which meet, in themselves, the nutritional requirements of this category of person and are put up for retail sale in packages which are clearly identified and labelled under one of the following names: “infant formula”, “follow-on formula” “infant milk” and “follow-on milk”, in accordance with articles 11 and 12 of Commission Directive 2006/141/EC.

<sup>3</sup> Dairy produce is defined as those products falling within the following CN codes including, where appropriate, any adjustments which might be made to them later: 0401, 0402 (except 0402 29 11).

<sup>4</sup> Minor food and the corresponding levels to be applied to them are set out in Annex II.

<sup>5</sup> Liquid food as defined in the heading 2009 and in chapter 22 of the combined nomenclature. Values are calculated taking into account consumption of tap-water and the same values should be applied to drinking water supplies.

<sup>6</sup> Carbon 14, tritium and potassium 40 are not included in this group.

Or. en

### *Justification*

*CODEX STAN 193-1995 proposes criteria for radionuclides in food. These maximum levels laid down by the Codex Alimentarius Commission are more restrictive than EURATOM Regulation 3954/87 and also lower than this regulation. However it does only make a difference of two groups (Infant foods/ Foods other than infant foods), hence following its criteria 2, 3 and 4 columns would fit under the second principle. This is not completely appropriate; however, since there are no other reference values, and, those are as noted already still more restrictive, we believe that are useful.*

### **Amendment 111**

**Michèle Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

### **Proposal for a regulation**

**Annex I – column 1 – row 5**

*Text proposed by the Commission*

Alpha-emitting isotopes of plutonium and transplutonium elements, notably Pu-239, Am-241

*Amendment*

Alpha-emitting isotopes of plutonium and transplutonium elements, notably Pu-239, Am-241, ***Pu-238, Pu-240***

Or. en

## Justification

*It is necessary to include some other radioactive isotopes that are not included in the Annex I proposal by the Council.*

### Amendment 112

**Michèle Josu Juaristi Abaunz, Teresa Rodriguez-Rubio**

#### Proposal for a regulation

**Annex I – row 4a to 4c (new)**

*Text proposed by the Commission*

	Food (Bq/kg) <sup>1</sup>			
	Infant food <sup>2</sup>	Dairy Produce <sup>3</sup>	Other food except minor food <sup>4</sup>	Liquid food <sup>5</sup>
Isotopes of strontium, notably Sr-90	75	125	750	125
Isotopes of iodine, notably I-131	150	500	2000	500
Alpha-emitting isotopes of plutonium and transplutonium elements, notably Pu-239, Am-241	1	20	80	20
All other nuclides of half-life greater than 10 days, notably Cs-134, Cs-137 <sup>6</sup>	400	1000	1250	1000

<sup>1</sup> The level applicable to concentrated or dried products is calculated on the basis of the reconstituted product as ready for consumption. Member States may make recommendations concerning the diluting conditions in order to ensure that the maximum permitted levels laid down in this Regulation are observed.

<sup>2</sup> Infant food is defined as those foodstuffs intended for the feeding of infants during the first twelve months of life, which meet, in themselves, the nutritional requirements of this category of person and are put up for retail sale in packages which are clearly identified and labelled under one of the following names: “infant formula”, “follow-on formula” “infant milk” and “follow-on milk”, in accordance with articles 11 and 12 of Commission Directive 2006/141/EC.

<sup>3</sup> Dairy produce is defined as those products falling within the following CN codes including, where appropriate, any

adjustments which might be made to them later: 0401, 0402 (except 0402 29 11).

<sup>4</sup> Minor food and the corresponding levels to be applied to them are set out in Annex II.

<sup>5</sup> Liquid food as defined in the heading 2009 and in chapter 22 of the combined nomenclature. Values are calculated taking into account consumption of tap-water and the same values should be applied to drinking water supplies.

<sup>6</sup> Carbon 14, tritium and potassium 40 are not included in this group.

### *Amendment*

	Food (Bq/kg) <sup>1</sup>			
	Infant food <sup>2</sup>	Dairy Produce <sup>3</sup>	Other food except minor food <sup>4</sup>	Liquid food <sup>5</sup>
Isotopes of strontium, notably Sr-90	75	125	750	125
Isotopes of iodine, notably I-131	150	500	2000	500
Alpha-emitting isotopes of plutonium and transplutonium elements, notably Pu-239, Am-241	1	20	80	20
All other nuclides of half-life greater than 10 days, notably Cs-134, Cs-137 <sup>6</sup>	400	1000	1250	1000
<b><i>Ru-106, I-129, I-131, U-235</i></b>	<b><i>100</i></b>	<b><i>100</i></b>	<b><i>100</i></b>	<b><i>100</i></b>
<b><i>S-35<sup>6a</sup>, Co-60, Sr-89, Ru-103, Ce-144, Ir-192</i></b>	<b><i>1000</i></b>	<b><i>1000</i></b>	<b><i>1000</i></b>	<b><i>1000</i></b>
<b><i>H-3<sup>6b</sup>, C-14, Tc-99</i></b>	<b><i>1000</i></b>	<b><i>10000</i></b>	<b><i>10000</i></b>	<b><i>10000</i></b>

<sup>1</sup> The level applicable to concentrated or dried products is calculated on the basis of the reconstituted product as ready for consumption. Member States may make recommendations concerning the diluting conditions in order to ensure that the maximum permitted levels laid down in this Regulation are observed.

<sup>2</sup> Infant food is defined as those foodstuffs intended for the feeding of infants during the first twelve months of life, which meet, in themselves, the nutritional requirements of this category of person and are put up for retail sale in packages which are clearly identified and labelled under one of the following names: “infant formula”, “follow-on formula” “infant milk” and “follow-on milk”, in accordance with articles 11 and 12 of Commission Directive

2006/141/EC.

<sup>3</sup> Dairy produce is defined as those products falling within the following CN codes including, where appropriate, any adjustments which might be made to them later: 0401, 0402 (except 0402 29 11).

<sup>4</sup> Minor food and the corresponding levels to be applied to them are set out in Annex II.

<sup>5</sup> Liquid food as defined in the heading 2009 and in chapter 22 of the combined nomenclature. Values are calculated taking into account consumption of tap-water and the same values should be applied to drinking water supplies.

<sup>6</sup> Carbon 14, tritium and potassium 40 are not included in this group.

<sup>6a</sup> *This represents the value for organically bound sulphur.*

<sup>6b</sup> *This represents the value for organically bound tritium.*

Or. en

### *Justification*

*It is necessary to include some other radioactive isotopes that are not included in the Annex I proposal by the Council. It is especially odd that the draft does not include isotopes such as Uranium, which is so related with nuclear energy industry; hence following Codex Stand 193-1995 which includes Uranium and other isotopes, we propose this amendment.*

## **Amendment 113** **Michèle Rivasi**

### **Proposal for a regulation** **Annex I**

*Text proposed by the Commission*

	Food (Bq/kg) <sup>1</sup>			
	Infant food <sup>2</sup>	Dairy produce <sup>3</sup>	Other food except minor food <sup>4</sup>	Liquid food <sup>5</sup>
Isotopes of strontium, notably Sr-90	<b>75</b>	<b>125</b>	<b>750</b>	<b>125</b>
Isotopes of iodine, notably I-131	<b>150</b>	<b>500</b>	<b>2 000</b>	<b>500</b>
Alpha-emitting isotopes of plutonium and transplutonium elements, notably Pu-239, Am-241	<b>1</b>	<b>20</b>	<b>80</b>	<b>20</b>
All other nuclides of half-life greater than 10 days, notably Cs-134 and Cs-	<b>400</b>	<b>1 000</b>	<b>1 250</b>	<b>1 000</b>

<sup>1</sup> The level applicable to concentrated or dried products is calculated on the basis of the reconstituted product as ready for consumption. Member States may make recommendations concerning the diluting conditions in order to ensure that the maximum permitted levels laid down in this Regulation are observed.

<sup>2</sup> *Infant food is defined as those foodstuffs intended for the feeding of infants during the first twelve months of life, which meet, in themselves, the nutritional requirements of this category of person and are put up for retail sale in packages which are clearly identified and labelled with one of the following names: “infant formula”, “follow-on formula” “infant milk” and “follow-on milk”, in accordance with articles 11 and 12 of Commission Directive 2006/141/EC.*

<sup>3</sup> Dairy produce is defined as those products falling within the following CN codes including, where appropriate, any adjustments which might be made to them later: 0401, 0402 (except 0402 29 11).

<sup>4</sup> *Minor food and the corresponding levels to be applied to them are set out in Annex II.*

<sup>5</sup> Liquid food as defined in the heading 2009 and in chapter 22 of the combined nomenclature. Values are calculated taking into account consumption of tap-water and the same values should be applied to drinking water supplies.

<sup>6</sup> *Carbon 14, tritium and potassium 40 are not included in this group.*

#### Amendment

	Food (Bq/kg) <sup>1</sup>			
	Foods <sup>2</sup> <i>specifically for infants and young children</i>	<i>Fresh milk and dairy products</i> <sup>3</sup>	Other food	Liquid food <i>including drinking water</i> <sup>5</sup>
Isotopes of strontium, notably Sr-90	<b>1</b>	<b>10</b>	<b>50</b>	<b>10</b>
Isotopes of iodine, notably I-131	<b>1</b>	<b>10</b>	<b>50</b>	<b>10</b>
<i>Alpha-emitting isotopes of uranium and transuranic elements</i>	<b>0,01</b>	<b>0,1</b>	<b>5</b>	<b>0,1</b>
All other nuclides of half-life greater than 10 days, notably Cs-134, Cs-137, <b>C14, H3, tritium and potassium 40</b>	<b>1</b>	<b>10</b>	<b>200</b>	<b>10</b>

<sup>1</sup> The level applicable to concentrated or dried products is calculated on the basis of the reconstituted product as ready for consumption. Member States may make recommendations concerning the diluting conditions in order to ensure that the maximum permitted levels laid down in this Regulation are observed.

<sup>2</sup> *Infant food is defined as those foodstuffs intended for the feeding of infants during the first twelve months of life, which meet, in themselves, the nutritional requirements of this category of person and are put up for retail sale in packages which are clearly identified and labelled with one of the following names: “infant formula”, “follow-on formula”, “infant milk”, “follow-on milk” or “growing-up milk” in accordance with articles 11 and 12 of Commission Directive 2006/141/EC. It also includes prepared foods presented in small pots or dishes and specifically intended for children under the age of three.*

<sup>3</sup> Dairy produce is defined as those products falling within the following CN codes including, where appropriate, any adjustments which might be made to them later: 0401, 0402 (except 0402 29 11) **and 0406 10**.

<sup>5</sup> Liquid food as defined in the heading 2009 and in chapter 22 of the combined nomenclature. Values are calculated taking into account consumption of tap-water and the same values should be applied to drinking water supplies.

Or. fr

### *Justification*

*The levels of contamination are based on a limit dose of 1mSv/year. They have been established on the basis of USFDA values (the US values, which are derived from a limit dose of 5 mSv/year, have been divided by 5 and adapted to suit each of the various categories of foods).*

#### **Amendment 114**

**Michèle Rivasi**

#### **Proposal for a regulation**

##### **Annex II**

*Text proposed by the Commission*

*Amendment*

**[...]**

***deleted***

Or.

#### **Amendment 115**

**Michèle Rivasi**

#### **Proposal for a regulation**

##### **Annex III – Introductory part**

*Text proposed by the Commission*

*Amendment*

The maximum permitted levels for caesium-134 and caesium-137 shall be the following:

***Pending the drafting and forwarding by the Commission of a report <sup>1a</sup> to the Council and the European Parliament within three months of the entry into force of this Regulation, the maximum permitted levels for caesium-134 and caesium-137 shall be the following:***

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***<sup>1a</sup> The aim of this report shall be to assess the justification for the maximum permitted limits for the isotopes caesium-134 and caesium-137 and make proposals for other key radionuclides. Justification must be provided for any decision not to set supplementary limits.***

Or. fr

### *Justification*

*It has been 25 years since the publication of Regulation 770/90 laying down maximum permitted levels of contamination of feeding stuffs. Those limit values related solely to the overall specific activity of caesium-134 and caesium-137. There is no published scientific paper to support those values. Moreover, no one has ever considered supplementing this mechanism and setting limits for radioactive isotopes of iodine or strontium, for ruthenium-103 or for tritium, etc.*