

Resolution on the draft Commission implementing regulation amending Commission Implementing Regulation (EU) 2016/6 as regards feed and food subjected to special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station

2017/2837(RSP) - 13/09/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 543 votes to 100 with 43 abstentions a resolution tabled by the Committee on the Environment, Public Health and Food Safety on the draft Commission implementing regulation amending Commission Implementing Regulation (EU) 2016/6 as regards feed and food subjected to special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station.

[Implementing Regulation \(EU\) 2016/6](#) currently requires that consignments of a number of foodstuffs, including mushrooms, fish and fishery products, rice and soybeans, originating in or consigned from any part of Japan be accompanied by a valid declaration from the Japanese authorities attesting that the products comply with the maximum contamination limits in force in Japan. However, the draft Commission implementing regulation (now only requires that a limited list of food and feed from twelve prefectures, listed in Annex II, be accompanied by such a declaration, and this draft proposal also deletes a number of food and feed categories from Annex II.

Parliament called on the Commission to **withdraw its draft implementing regulation and to submit a new draft to the committee by the end of 2017** at the latest. It made a series of observations:

On Annex II: amongst the proposed amendments are the following:

- the draft proposal deletes from Annex II rice and derived products from Fukushima prefecture. this means that there will no longer be any requirement to sample and analyse those products on entry into the Union nor any obligation on the Japanese authorities to attest to their compliance with maximum radioactive contamination levels. Members one of the rice-derived products removed from Annex II is rice used in baby food and food for young [children](#);
- Annex II is also amended so as to now allow, without controls, sampling or analysis, the import into the Union of seven fish species (including Atlantic and Pacific bluefin tuna and mackerel), as well as crustaceans and molluscs, which are caught or harvested in the waters of Fukushima;
- seven fish species will also be removed from Annex II for six other prefectures, namely Miyagi, Iwate, Gunma, Ibaraki, Chiba and Tochigi;
- Annex II will no longer cover any products originating from Akita prefecture.

There are **no justifications** given in the draft proposal for these amendments.

Annex I:

- verification of compliance with the maximum limits for food and feed categories in Annex I is not required under Implementing Regulation (EU) 2016/6 or the draft proposal for its amendment. There is therefore no guarantee that those foods and feedstuffs do not exceed the maximum limits for radioactive contamination;
- since 1 April 2012 the maximum limits in force in Japan, and hence those listed in Annex I, have not been revised downwards, but Members felt they should be reduced in particular in relation to foodstuffs for infants and babies.

Accordingly, Parliament considered that the draft Commission implementing regulation **exceeds the implementing powers** provided for in [Regulation \(EC\) No 178/2002](#).

When drafting its new proposal, the Commission should, *inter alia*:

- ensure that all food and feed imported from Japan into the Union, including the categories listed in Annex I, are subject to controls and checks;
- revise downwards the maximum limits in Annex I; and
- take into account the recent lifting of evacuation orders in the affected prefectures and ensure that there is no corresponding negative impact on the levels of radioactive contamination of food and feed imported into the Union;

Pending the drafting of its new proposal, the Commission was asked to:

- put in place emergency measures, as required under Regulation (EC) No 178/2002;
- make publicly available, including on the Union's Rapid Alert System for Food and Feed, the analysis on which it based its draft proposal.