



USDA Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Voluntary Report - public distribution

Date: 10/16/2003

GAIN Report Number: E23193

European Union

Trade Policy Monitoring

European Union Bans Estradiol

2003

Approved by:

Justina Torry

U.S. Mission to the European Union, Brussels

Prepared by:

Michael K. Hoffman

Report Highlights:

On October 14, 2003, Directive 2003/74/EC, finalizing the EU's ban on estradiol in food-producing animals, was published in the Official Journal. The prohibition of estradiol-17 β in the production of food-producing animals had been in effect since the early 1980's. The EU considers this action as fulfilling their risk assessment obligations to the WTO.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Brussels USEU [BE2]
[E2]

Hormones

European Union Bans Estradiol-17 β (Oestradiol-17 β) ; Fulfills WTO Obligations

On October 14, 2003, Directive 2003/74/EC, finalizing the EU's ban on estradiol in food-producing animals, was published in the Official Journal. The prohibition of estradiol-17 β in the production of food-producing animals had been in effect since the early 1980's. The EU considers this action as fulfilling their risk assessment obligations to the WTO.

Summary:

Directive 2003/74/EC amending Council Directive 96/22/EC concerning the prohibition of the use of growth-promoting substances in food-producing animals was signed by the European Parliament and Council on 22 September 2003. The directive restates old EU positions on the use of hormonal and thyrosatic substances and of beta-agonists. The Directive, however, specifically finalizes the prohibition of estradiol-17 β for growth promotion purposes, and continues provisionally the prohibition on the remaining 5 natural and synthetic hormones (testosterone, progesterone, zeranol, trenbolone acetate and melengestrol acetate) "while the Community seeks more complete scientific information *from any source*." All six hormones are approved for use in the US. Since these substances had been provisionally prohibited for many years, there is no change in the status. The use of estradiol-17 β for therapeutic purposes or zootechnical treatment continues to be permitted until 14 October 2006.

The EU believes the scientific opinion on which this directive is based fulfills their obligation to the WTO and believes that the US must now lift its trade sanctions.

Comment: The 1998 WTO Appellate Body ruling condemned the EU for banning the use of growth promoting hormones without a "state of the art" scientific risk assessment of the risk associated with meat consumption. Unfortunately, while the state of the art of risk assessment has changed since the mid-late 1990's, the EU's ability to carry out a risk assessment has not kept pace. To the best of our knowledge, the EU has not published a peer-reviewed and transparent risk assessment.

Directive 2003/74/EC references both the April 30 1999 and the April 22, 2002 Opinions of the Scientific Committee on Veterinary Measures Relating to Public Health (SCVPH). It could be inferred that these documents were, in fact risk assessments. Nothing could be further from the truth. The former discusses potential problems with earlier risk assessments, while the latter, which discusses 17 studies commissioned by the SCVPH in 1999, is a collection of comments largely focused on those narrowly selected studies. No conclusions provided by either of the Opinions are based on modern risk assessment principles.

Indeed, the EU may actually be putting itself into a paradoxical situation - estradiol is naturally found at much higher levels in many other foods (eggs, dairy products) than it is in meat whether the animals have been treated with hormone implants or not, as a true state of the art risk assessment would show.

Additionally, the banning of meat and bone meal from ruminant diets because of BSE (mad cow disease) now leads to bovine diets containing significantly higher levels of phytoestrogens (plant-derived substances that can mimic the effects of endogenous estrogens) than previously. Preliminary studies in model systems indicate that some

phytoestrogens are metabolized to testosterone, which in mammalian systems is a precursor of estradiol.

On October 9, 2003, Geoffrey Podger, Chief Executive of the European Food Safety Authority (EFSA), in addressing a joint European Policy Center-King Badouin Foundation (EPC-KBF) Policy Briefing noted that what worried him much more than trendy food topics that garner the most public attention was the fact that "people are dying in the streets for neglect of simple hygiene measures." "Hormones in beef" appears to be one of those trendy topics, albeit one with a long life..

The final decision, published on October 14, 2003 in the Official Journal, can be found at the following link:

http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_262/l_26220031014en00170021.pdf

Visit our website: our website www.useu.be/agri/usda.html provides a broad range of useful information on EU import rules and food laws and allows easy access to USEU reports, trade information and other practical information.