

DESCRIPTION OF THE EEC DIPHENYL (BIPHENYL) REGULATION

The EEC Diphenyl regulation creates a problem that is two-fold, first is that the maximum tolerance is 70 parts/million—a level that is considerably below what the United States considers “good agricultural practice,” that is, 110 parts/million. At one time, Holland wished to enforce the tolerance at 30 parts/million, but they have since agreed to the now accepted EEC level. The second part of this regulation is that it requires labelling to the effect that the fruit is treated with diphenyl, the cartons must be labelled, and there must be retail labelling too. The method by which retail labelling will be done is left to the discretion of the individual countries; thus enters the problem we have with Germany. In Germany, retail labelling (by placards since 1959) states “diphenyl treated—peel unsuitable for consumption,” or something similar. The retail labelling *can* state only “peel treated by diphenyl” according to the EEC regulation; and therefore, the German practice, in our opinion, is not only excessive, but is now beyond the limits prescribed by the EEC regulation.

Up to the present, we have had problems only with Germany and France, but the EEC as a whole is now working out the method by which analysis will be carried out. If the EEC agrees upon analysis at the point of entry, we will not have the problem that we could have if analysis takes place at retail, for this reason: Under refrigeration, diphenyl disperses slowly enough from the papers in the cartons so that we could probably operate with the maximum tolerance. However, because of the way in which the fruit is transported and stored in Europe—the fruit is not kept under refrigeration—diphenyl at the higher temperatures disperses to the fruit so that we could get “readings” over 110 parts/million.

We have not had the problems to date with this regulation that we could have in the future simply because not all the details of inspection and labelling have been agreed to by all the member states.

STATEMENT OF POSITION ON BEHALF OF THE UNITED STATES NATIONAL FRUIT EXPORT COUNCIL

This brief is presented pursuant to the Notice of Public Hearing on the future of U.S. foreign trade policy, dated December 15, 1967, on behalf of the members of the U.S. National Fruit Export Council. The following parties, for the purpose of this brief, represent a substantial part of the United States fruit industry which engages in exporting and is vitally affected by U.S. trade policies.

California-Arizona Citrus Industry:

Pure Gold, Inc., Redlands, California.
 Sunkist Growers, Los Angeles, California.
 Cannery League of California, San Francisco, California.
 DFA of California, Santa Clara, California.
 Florida Citrus Commission, Lakeland, Florida.
 International Apple Association, Washington, D.C.
 National Cannery Association, Washington, D.C.
 Northwest Cannery & Freezers Association, Portland, Oregon.
 Pineapple Growers Association of Hawaii, San Francisco, California.
 California Canning Peach Association, San Francisco, California.
 California Grape & Tree Fruit League, San Francisco, California.
 Cranberry Institute, South Duxbury, Massachusetts.
 Florida Cannery Association, Winter Haven, Florida.
 Florida Citrus Mutual, Lakeland, Florida.
 National Apple Institute, Washington, D.C.
 National Red Cherry Institute, East Lansing, Michigan.
 Northwest Horticultural Council, Yakima, Washington.
 Texas Citrus & Vegetable Growers & Shippers, Harlingen, Texas.
 Texas Citrus Mutual, Weslaco, Texas.

STATEMENT OF POSITION

The U.S. National Fruit Export Council, representing non-price-supported perennial fruits and their products, has, from its inception, consistently supported the principle of reciprocal trade agreement negotiations and the cause of liberalized foreign trade. Foreign trade is essential to the well-being of the United States as well as to growers, packers and processors of fruits and