

However, where officials use that right to settle disagreements over lawful policies in a manner which denigrates those policies or the Institution which employs the official concerned, then this may obviously cause irremediable harm to the relationship of trust that must exist between the official concerned and the Commission. This relationship of trust is not only in the interest of the service, but also in the public interest. Writing criticism does not absolve the officials from doing their duty. When senior officials have the task to steer reform and modernisation, they are expected to take actions with others in the administration to bring in the agreed reforms. The Honourable Member is no doubt aware that the Staff Regulations contain specific provisions on the requirement that staff behave with integrity and discretion, even after they have left the service.

5. The Commission agrees that, irrespective of considerations of public opinion, employees with critical views are essential for any responsible organisation to be able to identify and remedy the weaknesses which inevitably occur in systems and structures of any degree of complexity. Various means of reporting such weaknesses are regularly used effectively within the Commission.

6. The Commission would refer to the answer to question No 5 above. Its organisation, its systems, procedures and activities are under close and continuous scrutiny of the Court of Auditors, the Council, the Parliament and the Ombudsman by virtue of the Treaty on the European Union and institutional arrangements.

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(<sup>1</sup>) COM(2000) 200 final.

(<sup>2</sup>) Adopted under No C (2002) 845.

(<sup>3</sup>) The new regime reinforces and extends the arrangement introduced in 1999 (Decision 396/1999 of 2 June 1999 — OJ L 149, 16.6.1999).

(2003/C 242 E/030)

**WRITTEN QUESTION E-2560/02**

**by Erik Meijer (GUE/NGL) to the Commission**

(13 September 2002)

*Subject:* Conflicting concerns and views regarding the consequences for teeth and bones of fluorine intake by human beings

1. Is the Commission familiar with an article entitled 'Fluorine causing early ageing among Indian peasants' that appeared in the Netherlands daily paper 'De Volkskrant' on 21 August 2002 and in which it was reported that inhabitants of Jharana Khurd and other villages in the central part of the Indian state of Rajasthan are showing rapid signs of ageing at a young age as a result of contracting the disease fluorosis from the drinking of water naturally containing fluorine? Is it aware that, as reported in the article, fluorosis gradually leads to brittle bones and teeth and a crooked back and knees, and that, whilst it is possible to halt the process of deterioration with the help of vitamins C and E, calcium and antioxidants, the damage cannot be reversed?

2. Does the Commission recall that, in the 1950s and 60s, in a number of European countries, it was argued that fluorine waste from the steel, aluminium and nuclear power industries should be used to combat tooth decay in children by adding it to drinking water, following the example of the Americans? Does it also recall that this proposal met with a great deal of opposition because of fears of brittle and swollen bones, damage to the nervous system, hyperactivity in children and possibly cancer, with the result that fluorine ultimately did not automatically become a component of drinking water?

3. What is the Commission's view regarding the proposal announced at the end of July 2002 by the then Belgian Minister for Public Health and the Environment to actively discourage or to prohibit the use of fluorine in toothpaste, chewing gum, fluorine-containing food supplements for human consumption, fluoride tablets and fluoride drops? Would implementation of this measure contravene EU rules and if so, why?

4. Does the Commission have information available for comparing the effects on the health of those living in areas of the EU where the drinking water naturally contains fluorine, or where fluorine has been added to the drinking water, with those living in areas where that is not the case? Does that lead to the generally accepted conclusion that fluorine is in general bad for health, but that, where used only in small quantities which are not swallowed, it can be good for teeth?

5. Does the Commission consider, based on experience to date, that it is desirable to introduce more stringent precautionary measures to prevent the occurrence of symptoms of disease caused by fluorine naturally present in, or added to, drinking water or food?

(2003/C 242 E/031)

**WRITTEN QUESTION E-2639/02**

**by Kathleen Van Brempt (PSE) to the Commission**

(18 September 2002)

*Subject:* Ban on fluoride supplements

Belgium will shortly become the first EU Member State to ban fluoride supplements. This will also make Belgium the first country in the world to introduce such a ban. The Federal Minister of Public Health says that he has asked the Commission to ban fluoride supplements throughout the EU. According to the minister, the Commission has so far refused to do so. The minister also wishes to see a general ban on fluoride at a later stage.

1. Does the Commission agree with the reasoning of the Belgian minister that fluoride and fluoride supplements present a risk to physical and mental health?
2. What is the Commission's precise reason for refusing to follow Belgium's example?
3. The minister claims that the number of cases of fluoride poisoning is rising. Is the Commission aware of any cases of fluoride poisoning in the EU? If so, how many cases have there been, exactly? What were the consequences for the victims?
4. Will the Commission in future take measures to ban fluoride supplements and later fluoride in general? If so, when?

**Joint answer  
to Written Questions E-2560/02 and E-2639/02  
given by Mr Byrne on behalf of the Commission**

(30 October 2002)

The Commission received on 2 August 2000, in the framework of Directive 98/34/EC establishing a procedure for the provision of information in the fields of technical standards and regulations<sup>(1)</sup>, the Belgian draft 'Royal decree amending the Royal Decree of 3 March 1992 concerning trade in nutrients and in foodstuffs to which nutrients have been added'. In particular, the draft intended to remove chromium and fluorine from the approved list of nutrients. The Commission reacted to the notification noting that with regard to the use of chromium and fluorine in the form of food supplements, the draft concerned a subject covered by the proposal for a Directive on food supplements<sup>(2)</sup> which was submitted to the Parliament and the Council on 8 May 2000. The Belgian authorities were required, in conformity with the provisions of Article 9, paragraphs 3 and 4 of Directive 98/34/EC, to defer the adoption of the draft in question for twelve months from the date the Commission received the notification. The Belgian authorities respected their obligation of postponing at that time the adoption of the draft which they adopted in July this year.

The Commission does not intend to propose a ban on fluoride in food supplements. It is important to note that the Union legislation on food supplements, Directive 2002/46/EC of the Parliament and the Council on food supplements<sup>(3)</sup>, was adopted on 10 June 2002. The adopted text was based on the Common Position (EC) No 18/2002<sup>(4)</sup> that had been finalised and adopted under the Belgian Presidency in December 2001. The Directive entered into force on 12 July 2002 and Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 31 July 2003. It should also be noted that fluoride is one of the vitamins and minerals, listed in annex I of the Directive, which may be used in the manufacture of food supplements under specific conditions.