

## NATIONAL HEALTH COUNCIL

A meeting of the National Health Council took place in the Conference Room, Custom House, at 2.15 p.m. on Friday, 29 April 1977.

Present at the meeting were:

Mr. J. O'Hanrahan, Chairman  
Mr. J. McGuire, Vice-Chairman  
Miss A. Boland  
Dr. J. G. Cooney  
Dr. H. V. Connolly  
Dr. A.E.B. de Courcy-Wheeler  
Mr. J. M. Hillery  
Miss K. Keane  
Mr. T. Kennedy  
Mr. W. A. Lynch  
Senator M. D. Lyons  
Dr. M. Henry McEntagart  
Mr. W. MacEvilly  
Dr. D. McGrath  
Mr. J. A. Mehigan  
Mr. M. Neary  
Mr. E. S. Ó Caoimh  
Mr. J. O'Neill  
Mr. L. P. Pelly  
Dr. H. Raftery  
Mr. L. Shalloe  
Dr. J. P. Shanley

Apologies for inability to attend were received from: Dr. J. G. Devlin, Mr. T.C.J. O'Connell, Mr. T. S. Hassett, Dr. E.S.M. O'Brien-Moran, Dr. P. Donnelly and Mr. G. B. Savage.

### ELECTION OF CHAIRMAN

The Secretary quoted the relevant provisions of Standing Orders and invited nominations.

Mr. O'Hanrahan, out-going Chairman, was proposed by Mr. Pelly and seconded by Dr. de Courcy-Wheeler.

Mr. Lynch proposed that Mr. O'Hanrahan's nomination be adopted nemine contradicente. The proposal was seconded by Mr. Ó Caoimh and adopted unanimously.

Mr. O'Hanrahan thanked the members for their confidence in him and assured them of his best efforts on their behalf.

ELECTION OF VICE-CHAIRMAN

Mr. J. McGuire, out-going Vice-Chairman, was proposed by Dr. Shanley and seconded by Senator Lyons.

There being no other nominations, Mr. McGuire was declared elected.

Mr. McGuire thanked the members for their confidence in him.

MINUTES OF MEETING HELD ON 25 MARCH 1977

There being no amendments, the minutes of the meeting held on 25 March 1977 were approved and signed.

MATTERS ARISING FROM THE MINUTES

Mr. Kennedy said he was particularly interested in the remarks made by Mr. Hillery at the last meeting concerning the detrimental effects on the health of humans which could arise from the use of antibiotics in animal husbandry. He noted that, while it was common practice to stamp packaged foodstuffs intended for human consumption with the date by which they should be used, this did not seem to apply to tinned foodstuffs. He would be interested to know the shelf life of such goods and if there were any regulations on the matter. He recalled that studies had been carried out in the USA into the harmful effects on humans of preservatives used in tinned and packaged foodstuffs.

Mr. Hillery said he had been referring to the use of animal feedstuffs containing antibiotics and the resultant hazards to humans. There were no controls in this country over these products. He was concerned at their uncontrolled retailing from mobile shops. Studies carried out in England had shown traces of antibiotics in the carcasses of animals which had been treated with antibiotics or fed on feedstuffs containing such preparations. Such animals should not be slaughtered for 21 days after medication had ceased. Otherwise traces could be found in the flesh. This applied particularly to chickens and turkeys. There were no controls in this country to enforce this time limit. Antibiotics for the treatment of animals could be purchased without prescription and there were no purchasing conditions. It was in fact possible for persons to purchase veterinary antibiotics for personal use.

Dr. Raftery said there was no doubt that a problem existed in this area. However, the Council was too diverse a body to deal with it. The Government should be encouraged to take action to introduce appropriate protective legislation.

The Chairman agreed that the contamination of food through the use of animal antibiotics and preservatives has become a big problem. Some body should be set up to control the situation. Control should also be imposed on tinned foodstuffs to ensure that outdated and harmful stocks were not sold for human consumption.

Dr. Connolly said that some companies put expiry dates on tinned foods although there was no obligation on them to do so. In practice, Public Health Inspectors consider the shelf life of tinned goods to be about two years.

Mr. Lynch suggested that the Council should write to the National Consumer Advisory Council apprising them of the situation so that they could look into the matter.

Mr. Pelly felt that such a step would only deal with part of the problem. Pharmacists could not now control the sale of animal antibiotics to farmers. In his view this control was the concern of the Department of Health.

Mr. Hillery said that if a veterinary surgeon recommended a specific drug and the farmer wanted another, the pharmacist could not control his purchase. Neither could he ensure that the farmer administered the correct dosage to the animal. As he had said at the last meeting, it was essential that some form of control should be introduced within the next year as the EEC might otherwise impose regulations unsuitable to Irish requirements.

Mr. Shalloe pointed out that WHO had published many documents and had made several recommendations on this subject.

The Chairman asked if the members would like to have the views of the National Consumer Advisory Council on the matter.

Mr. Lynch explained that the National Consumer Advisory Council would research the subject and publish their recommendations. They would not see their role as advising the National Health Council.

Dr. Henry McEntagart said that a study had already been carried out on the bacterial contamination of mince meat sold in Dublin shops. However, no action had been taken on the recommendations made in the report.

Dr. Connolly said that both the Department of Health and the health boards had a function to perform regarding contaminated food. It was however difficult to operate it at the present time owing to the shortage of Health Inspectors. These officers had the power to confiscate food for analysis.

Mr. Lynch pointed out that the Department of Industry and Commerce was the enforcing authority in matters of this kind.

It was agreed that the Secretary would write to the National Consumer Advisory Council informing them of Council's concern in this matter.

The Chairman said that as Mr. Flanagan, Department of Health, had been invited to the meeting to assist members in examining the draft Non-Proprietary Medical Preparations (Licensing) Regulations, 1977, the opportunity might be taken, if Mr. Flanagan were agreeable, to get him to explain the present legislative controls over antibiotics in farming and preservatives, additives, etc., in foodstuffs.

Mr. Flanagan agreed to outline the matter for members. He said the subject was a very wide-ranging one with a number of interlinked controls. Regulations made under the Health Acts dealt with preservatives and additives in food. Food compositional standards could also be

imposed under those Acts where there was a special need for such a standard. Under the Food Standards Act, the Departments of Industry and Commerce, Agriculture and Health each had individual powers to create compositional standards. The Department of Industry and Commerce had, for example, made regulations on such items as honey, cocoa, chocolate and sugars. All three Departments were represented on an inter-departmental committee to co-ordinate activities in this area. Enforcement of standards was largely a matter for Health Inspectors working in conjunction with the regional laboratories. Babyfoods were controlled under a voluntary arrangement with the manufacturers. To ensure that they came up to standard, these foods were examined by the Food Advisory Committee which made recommendations to the Minister on their suitability.

Control over antibiotics used in animal husbandry was a matter for the Department of Agriculture. The Department of Health kept in touch with that Department on the issue. In fact controls had already been imposed on some veterinary antibiotics and a draft of more wide ranging controls was in course of preparation in the Department of Agriculture. It had, however, to be remembered that the farming community was exerting counter pressures upon the Department of Agriculture.

Mr. Hillery said the Council was only concerned with the issue insofar as it created a health problem. The Department had been successful in controlling paraquat and could perhaps be equally successful in controlling animal antibiotics in the same way. The indiscriminate use of these substances could result in the transmission of antibiotic residues to humans. There was also the problem of van salesmen selling out-of-date antibiotics. Items such as Orbinon were being wrongly stored by such sellers.

Mr. Flanagan said that the Department of Health was not opposed to the imposition of controls but the Council would appreciate that there were difficulties in the situation in that, in Ireland, as in other countries, there was a significant farming lobby against such controls.

Mr. Hillery said that the controls he had in mind would cost little if anything to implement. They would simply require the purchaser to sign for the substance as in the case of paraquat. This would create an attitude which in itself would be as effective as a control. There may be loopholes in the controls operated in other countries but at least they have some method of curbing the abuse.

Mr. Flanagan pointed out that veterinary medicines were the subject of some considerable controversy in the EEC.

It was agreed that the Secretary would write to the National Consumer Advisory Council as already decided.

#### NON-PROPRIETARY MEDICAL PREPARATIONS (LICENSING) REGULATIONS 1977

The Chairman said that the purpose of the Regulations was to impose controls on the sale of non-proprietary medical preparations similar to those now applying to proprietary products. At present there were no statutory controls over the marketing of non-proprietary products.

Miss Boland enquired why the commencement dates for certain products were postdated so far in the future.

Mr. Flanagan explained that this was due to the fact that it took a considerable time to review these products. The National Drugs Advisory Board were at present in the process of carrying out a review of all proprietary products currently available in the country and which had been on the market prior to October 1974, i.e., the date from which product licensing was introduced. The documentation associated with this review was extremely voluminous and often ran into hundreds of pages for particular items. Consequently the review process took a considerable time. In fact the EEC Directives on the subject allowed for a period of fifteen years for the review process.

Mr. Flanagan informed Mr. McGuire that Article 5 of the draft Regulations would give the Minister power to test the adequacy of the claims made by manufacturers. The National Drugs Advisory Board vetted the literature, presentation, packaging and the conditions governing the use of each product. Most of the problems arose with the older drugs. The industry was co-operating and was drawing up a new code of practice relating to media advertising. When the new code had been drawn up, the Department would write to the Council informing them of the up-to-date position.

In reply to Dr. Raftery, Mr. Flanagan said the new code would cover all media advertising. At the present time, television and newspapers operated their own code. The Minister favoured voluntary codes of practice in areas such as this.

Mr. McGuire considered there should be stricter control over the "hospital" and "clean white coat" syndrome in the advertising of medicines.

The Chairman said the sale of medicines in supermarkets was causing a lot of worry. There was no one in these establishments to advise customers or to oversee the position.

Mr. Pelly was doubtful about the relative benefits or disadvantages of outlawing such retailing.

Dr. Raftery asked if it would be proper for the Council when approving of the Regulations to recommend that the controls should extend to television advertising.

Mr. Flanagan said the Department hoped soon to be in a position to furnish the Council with details of the advertising practice adopted by the industry. The Council might at that stage furnish its comments.

There being no further comments, the draft Regulations were approved unanimously.

The Chairman thanked Mr. Flanagan for attending the meeting. Mr. Flanagan then withdrew.

#### SUBMISSION TO DÁIL SELECT COMMITTEE ON HEALTH SERVICES

The Chairman suggested that sub-committees might be set up to deal with the various areas referred to in the terms of reference adopted for the Select Committee. He felt that items 1 and 5 might perhaps be assigned to one sub-committee as they both dealt with finance.

Mr. MacEvilly pointed out that item 1 dealt with broad national policy and the priority to be given, in money terms, to health and the other services making demands on financial resources. On the other hand, item 5 related to the alternative ways of financing the health services. The two aspects were not therefore directly linked and should be dealt with separately.

Mr. O'Neill agreed with Mr. MacEvilly. He questioned whether the Council was precluded from discussing financial matters. He did not regard these items as the most important ones to be tackled by the Council.

The Chairman considered the Council was not precluded by its functions from considering finance in the present context.

Mr. Kennedy said that it was essential to have a healthy nation. This necessitated providing good health services and accordingly health must have a priority rating.

The Chairman felt the Select Committee would be faced with a very difficult task in deciding how much of the financial resources of the State should be allocated to the health services. They would also have the problem of deciding how these services should be made cost effective and cost efficient.

Mr. McGuire pointed to the need to examine whether value was being obtained for the amount of money being spent. At present, one school of thought favoured the expansion of the institutional services, while others considered that the emphasis should be placed on the community care area. He noted that many of the new jobs announced for the health services were in the institutional area.

Mr. MacEvilly noted that the individual items of the terms of reference were all inter-connected. If there were several sub-committees their would be some overlapping which could result in conflicting reports being brought back to the Council. It would be preferable in the circumstances to have one rather than several sub-committees. This sub-committee could have, say, six members.

Mr. Mehigan supported Mr. MacEvilly. The terms of reference should be examined in their entirety rather than individually. This would give an overall view of the situation.

Mr. O'Neill said that special attention should be given to item 4. Some members of the community were being discriminated against under the present eligibility limits.

Mr. Kennedy agreed. People should not have to be in dire need in order to be eligible for services. There was an amount of confusion at the present time. Many people who thought they were eligible found this was not the case when they applied for services. In particular, there was the situation of persons who had not become voluntary contributors and now found they had to increase their VHI substantially because they were no longer covered under the Health Acts.

Dr. Cooney suggested that the sub-committee's report should be constructed on the basis of the terms of reference of the Select Committee.

Mr. Shalloe and Dr. Connolly considered that the sub-committee should have a broad representation and should represent all areas of the health services as reflected in the membership of the Council. For that reason a membership of six would not be enough.

It was agreed that the membership should be selected from the members present at the meeting. In addition to the Chairman, the following members were appointed:

Miss Boland  
 Dr. Connolly  
 Dr. Cooney  
 Mr. Hillery  
 Mr. Kennedy  
 Senator Lyons  
 Mr. MacEvilly  
 Mr. Mehigan  
 Mr. Neary  
 Mr. Pelly  
 Mr. Shalloe

The Chairman informed Dr. de Courcy Wheeler that the sub-committee would welcome submissions from individual members of the Council. He also informed Mr. Pelly that membership of the Select Committee had not yet been announced. No time limit had been fixed for it to report.

The first meeting of the sub-committee was arranged for Wednesday, 18 May 1977, at 2.15 p.m. in the Custom House. Members were asked to brief themselves in the interval.

DATE OF NEXT MEETING

Mr. O'Neill inquired if it would be possible to revert to the previous practice of setting the dates of several meetings in advance. It was difficult for some members to arrange their schedules without such advance notice.

The Chairman said that the matter had been discussed by Council at the last meeting. It had been decided unanimously to arrange only one meeting in advance at a time.

The next meeting of the Council was arranged for Friday, 24 June 1977, at 2.15 p.m.

The meeting then ended.

*J. H. O'Neill*  
 16/9/77.