

(2002/C 115 E/063)

WRITTEN QUESTION E-2307/01**by Astrid Thors (ELDR) to the Commission**

(31 July 2001)

Subject: Article 75 of the Schengen Agreement (transport of medicinal products)

Article 75 of the Schengen Agreement contains a requirement that persons moving within the Schengen area, and carrying medicinal products which may be classified as narcotics, must be able to produce a certificate. How should this provision be interpreted? There are a number of views which suggest that it is not clear which authorities are able to issue such a certificate and for which medicinal products it is required.

Could the Commission propose an amendment to clarify this text, or alternatively consider abolishing the requirement for a certificate?

Answer given by Mr Vitorino on behalf of the Commission

(8 October 2001)

Under Article 75 of the Schengen Implementing Convention, it is permissible to transport drugs and psychotropic substances needed as part of medical treatment if the person concerned has a certificate issued by a competent authority⁽¹⁾.

However, Schengen provisions do not lay down a list of medicines for which persons travelling in the Schengen area need a special certificate.

Article 75 refers to the medicinal products mentioned in international conventions on drugs (1961 Single Convention on Narcotic Drugs, 1971 Convention on Psychotropic Substances) or which contain substances referred to in these conventions which are also governed by the national law on drugs. Under these Conventions, additional substances can be subjected to the checks laid down by national law on drugs. Consequently, lists of products which constitute or contain narcotic drugs or psychotropic substances may vary from one Member State to another.

Under Article 75 the Member States designate the authorities responsible for issuing or authenticating the certificate. A list of these authorities is published in the Official Journal for the 10 countries which applied Schengen provisions by 25 March 2001⁽¹⁾. The list of the relevant authorities in the five Nordic countries which have implemented these provisions since 25 March 2001 has been sent directly to the Honourable Member and Parliament's Secretariat.

The Commission has no intention at present of proposing any amendments to the legislation in force.

⁽¹⁾ The standard certificate was published in OJ L 239, 22.9.2000.

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WRITTEN QUESTION E-2310/01**by Christopher Huhne (ELDR) to the Commission**

(31 July 2001)

Subject: National measures for wine labelling

Given the evidence that wine labelling would materially avoid physical hardship by a number of drinkers able thereby to avoid high levels of sulphites, does the Commission consider that national measures to protect public health under Article 30 of the Rome Treaty would be justified, given that there is no realistic prospect of agreeing a wine labelling regime after 18 years of discussion?

Answer given by Mr Byrne on behalf of the Commission

(12 October 2001)

Given the lack of Community legislation on the labelling of ingredients of alcoholic drinks, despite several proposals from the Commission since 1982, the Commission is in favour of Member States maintaining or adopting national laws on the labelling of ingredients of certain alcoholic drinks, provided these comply with the rules of the EC Treaty.

With regard to wine, however, the following must be noted:

- there is existing Community legislation (a list of the various applicable legal instruments will be forwarded directly to the Honourable Member and to Parliament's Secretariat) which governs very precisely and exhaustively the compulsory and optional information to be used in the labelling of wines, but does not provide for the labelling of ingredients. This legislation is about to be replaced, in order to apply the new common organisation of the market in wine adopted by the Council in May 1999 (Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽¹⁾), by rules which are currently under discussion and will be adopted very soon. The draft version of these new provisions provides for an optional reference to sulphites in wine labelling;
- the Commission has just forwarded a proposal to Parliament and the Council to amend Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽²⁾, which provides for compulsory labelling, without the possibility of derogations, of the main ingredients or substances which cause food intolerances or allergies. Alcoholic drinks, including wines, are included in this proposal, and sulphites are one of the substances in question.

In the Commission's opinion, therefore, it would not be appropriate to adopt national measures applicable to the labelling of wine ingredients.

⁽¹⁾ OJ L 179, 14.7.1999.

⁽²⁾ OJ L 109, 6.5.2000.

(2002/C 115 E/065)

WRITTEN QUESTION E-2322/01

by Christopher Heaton-Harris (PPE-DE) to the Commission

(31 July 2001)

Subject: Pesticides directive

What percentage of pesticidal products currently authorised to be sold in Europe have not been registered according to the requirements of Directive 91/414/EEC⁽¹⁾?

Can the Commission provide details of the pesticides review that is currently taking place? Which Member States are participating in this exercise, and has it yet been decided what the cost of reviewing a data package will be in each country?

What is being done to ensure that the costs of the review will be affordable to small and medium-sized businesses?

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

Answer given by Mr Byrne on behalf of the Commission

(10 October 2001)

Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market, provides that no plant protection product can be placed on the market in the Community unless