WRITTEN QUESTION E-2072/99
by Klaus-Heiner Lehne (PPE-DE) to the Commission
(12 November 1999)

Subject: Ban on tobacco advertising, freedom of the press

Is it true that, in connection with the transposition of the directive concerning the prohibition of tobacco advertising, the two Member States Britain and France intend, once this directive has been transposed in their countries, to prohibit the distribution of magazines originating from countries in which there is no ban on tobacco advertising or where the directive has not yet been transposed if these publications carry tobacco advertising?

How does the Commission view this against the background of the guarantee of the freedom of the press?

Answer given by Mr Byrne on behalf of the Commission
(13 December 1999)

The Commission is not aware of the intentions of two Member States to restrict circulation of press carrying tobacco advertising.

If such cases were brought to its attention, they would be considered in the framework of Directive 98/43/EC of the Parliament and of the Council of 6 July 1998 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products (1).

However, concerning the press, this Directive has only to be transposed into national law until 30 July 2002.


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WRITTEN QUESTION E-2073/99
by Agnes Schierhuber (PPE-DE) to the Commission
(12 November 1999)

Subject: Cartels and WTO compatibility

1. Is the OPEC oil cartel compatible with the WTO rules?

2. If so, what positions will the EU adopt at the WTO Millennium Round in opposing the market-distorting measures taken by the OPEC countries?

3. What view should be taken of the impact that government export organisations in New Zealand, Australia and Canada to which or through which products must be sold (dairy boards, wheat boards, etc.) have on world trade, and how are they compatible with the WTO?

4. What view should be taken of the impact on world trade of such measures as export credits, internal transport subsidies and the fact that US states have different licensing procedures, and how are they compatible with the WTO?

Answer given by Mr Lamy on behalf of the Commission
(22 December 1999)

1. and 2. The problem of the compatibility of the Organisation of petroleum exporting countries (OPEC) with World trade organisation (WTO) rules has never arisen in practice. While the Community considers that future negotiations on competition should include commitments by governments to treat
cartels as a serious breach of competition law, it should be noted that government mandated restrictions do not normally fall within the scope of such competition law disciplines. Of course, any such government mandated restriction has to be in conformity with the existing framework of WTO rules.

3. In order to be compatible with WTO rules, state trading enterprises (STEs), such as those operated by New Zealand, Australia and Canada for certain agricultural commodities, have to respect the provisions laid down in General agreement on tariffs and trade (GATT) Article XVII. In defining its approach to the new round in relation to agriculture, the Community has indicated that the operation of STEs should be examined, and in particular when the various forms of export support are addressed.

4. The rules for export credits ‘Arrangement on guidelines for officially supported export credits’ have been fixed in a forum which has almost all Organisation for economic cooperation and development (OECD) countries as members (e.g. Turkey and Mexico are not members). The point of view has always been that those most interested in a strong discipline in this field, are probably those countries that give export credits and export credit guarantees on insurance rather than those that primarily receive the credits. The rules cover sales of capital goods on credit terms of two years or more. In September 1994 it was, however, agreed that negotiations on credit terms for agricultural products would start as soon as the Uruguay round was in place.

As far as internal transport subsidies are concerned, to the extent that these relate to agriculture, they would need to respect, and be notified under the relevant provisions of the agreement on agriculture. However, it should be recalled that one of the more important schemes in this respect, the so-called ‘Crow Rate’ operated by Canada, which was a form of export subsidy, has now been withdrawn.

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WRITTEN QUESTION E-2076/99
by Antonios Trakatellis (PPE-DE) to the Commission
(12 November 1999)

Subject: Public health hazard in Greece posed by high concentrations of arsenic in drinking water — breach of Community legislation

Recent measurements of drinking water quality carried out in the Chalastra area of Thessaloniki by the Aristotle University of Thessaloniki have revealed extremely high concentrations of arsenic, 64 microgrammes per litre (µg/l), which represents a direct risk to public health. Such a concentration is far beyond the maximum acceptable EU limit of 50 µg/l laid down by Directive 80/778/EEC (1) on water quality, while the risk to public health is even greater if the new 1998 directive is taken into account (Directive 98/83/EC (2) on the quality of water intended for human consumption, replacing the previous directive) which lays down the maximum parametric value for arsenic at 10 µg/l.