Concerning the origin of tallow, this information will be found in the product information file which is kept by the producer. This product information file contains all specifications on the raw materials, in this case also the origin of tallow used in the soap. It is always the responsibility of the manufacturer — or his agent or the person to whose order a cosmetic product is manufactured or the person responsible for placing an imported cosmetic product on the Community market — to keep the product information file accessible to the Member States.


(2001/C 103 E/078) WRITTEN QUESTION E-2148/00

by María Sornosa Martínez (PSE) to the Commission

(30 June 2000)

Subject: Discharge into the River Belcaire in the Vall d’Uixó (Valencia region, Spain)

As the River Belcaire flows through Vall d’Uixó (Valencia), excessive quantities of waste water are discharged into it from the tanneries situated on the river banks and the municipal reverse osmosis treatment plant. Since the municipal authorities have failed to take action to resolve this environmental problem, the Júcar hydrographical confederation has lodged several complaints regarding this situation, one of which is currently before the national courts.

Furthermore, despite the construction of additional facilities for the treatment of industrial waste water, studies carried out by the local authorities indicate that the treatment provided by the pre-treatment plant is insufficient and inadequate.

The same local authorities recently published a study which acknowledged that as a result of the discharges, salt levels were twice those permitted under current legislation, whilst no mention at all was made of the other pollutants, in addition to these chlorides, that are being discharged into the River Belcaire.

In view of the case pending against Spain in the Court of Justice for incorrect application of Directive 76/464/EEC (1) on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community, what measures does the Commission intend to take to ensure that the Spanish authorities fully respect the provisions of this directive, and in particular in the case of the River Belcaire?

With regard to the residents of Vall d’Uixó and the manifest inadequacy of purification systems for the contaminated water, does the Commission consider that the provisions of Directive 91/271/EEC on urban waste water treatment are being breached?


Answer given by Mrs Wallström on behalf of the Commission

(18 September 2000)

Firstly, as regards pollution of waters in general by dangerous substances, the Commission is aware of the problem posed in Spain by the implementation of Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community. It should be noted that in the infringement procedure initiated by the Commission against Spain pursuant to Article 226 (former Article 169) of the EC Treaty the Court of Justice found Spain guilty (1) of failing to implement programmes to reduce pollution of the waters by certain dangerous substances within List II in the Annex to Directive 76/464/EEC, contrary to Article 7 of that Directive.
Whether Council Directive 76/464/EEC and the relevant 'daughter' directives (1) apply in this case could not be identified with the available information. In principle, discharges of list I substances have to be authorised and relevant list II substances have to be identified by the national authorities. For relevant list II substances, the Member States are required to establish pollution reduction programmes including the setting of quality objectives in the river.

The Commission is currently examining the measures adopted by the Spanish authorities and communicated by them following the Court's judgement. One of these measures that should be mentioned is the adoption of the watershed hydrological plans for the inland waters concerned. Incidentally, Law 29/1985 on Water has been substantially amended in this regard by Law 46/1999. The Spanish authorities have also just adopted Royal Decree 995/2000 of 2 June, 'por el que se fijan objetivos de calidad para determinadas sustancias contaminantes' (laying down quality objectives for certain dangerous substances). The Commission hopes that these new rules will bring a solution to individual problems of water pollution such as the subject of this written question.

As regards, secondly, Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (2), it should be pointed out that agglomerations of more than 15 000 population equivalent (p.e. = a unit of measurement of organic pollution representing the average pollution produced per person per day) which discharge their urban waste water into the River Belcaire must be equipped with collecting and secondary (i.e. biological) treatment systems at the latest by 31 December 2000. The time limit is 31 December 2005 for agglomerations of between 2 000 and 15 000 p.e. The Commission will verify compliance with these obligations from the beginning of next year in the case of the largest agglomerations.

The Commission as guardian of the Treaties and using the instruments at its disposal will take the necessary measures to ensure that Community law is complied with in the case in point.


(2001/C 103 E/079) WRITTEN QUESTION E-2149/00
by María Sornosa Martínez (PSE) and Luis Berenguer Fuster (PSE) to the Commission (30 June 2000)

Subject: Petrol in Spain — market structure and the price of fuel

The structure of the fuel sector in Spain has oligopolistic characteristics. The top three companies, for example, (Repsol, Cepsa and BP) between them have a combined market share of almost 85 %. In addition to this, long-term contracts are agreed between suppliers and distributors which use legal fictions such as the establishment of surface rights and the sale of land with a repurchase agreement to exceed the time limit of ten years for exclusive purchase contracts. This, combined with the structure of the market and obstacles to the construction of petrol stations in the form of legislation on planning and road infrastructure, results in a closed market with barriers to entry. In these circumstances, the ground is ripe