With regard to family benefits, which also include child benefits, it is provided that if the family members do not reside in the Member State under whose legislation the employed person is insured, in this case the Netherlands, this person is entitled to family benefits as if the members of the family resided in this Member State. If entitlement to benefits exists under the legislation of several Member States, there are provisions which ensure that employed people receive the highest amount of benefits provided under the legislation of one of these Member States.

However, Article 65 of the German income tax law (Einkommenssteuergesetz) rules out any entitlement to child benefits in Germany, if there is an entitlement to such benefits outside Germany.

As Community law only coordinates national social security systems, each Member State remains responsible for its own social security system and decides which benefits shall be provided, the conditions for eligibility and the value of these benefits. Therefore, in this case, there seems to be no contradiction with Community law.


WRITTEN QUESTION E-2673/00
by Michl Ebner (PPE-DE) to the Commission
(1 September 2000)

Subject: Fuel from sustainable raw materials

Can the Commission indicate the extent to which it has already put in hand EU-wide studies into the production of fuel from sustainable raw materials (e.g. sunflower and rape seed) and the results thereof?

Answer given by Mrs de Palacio on behalf of the Commission
(13 October 2000)

Since the 1990s the Commission has been examining the options for expanding the biofuel sector, including those referred to by the Honourable Member.

One may mention the ‘Biomass — A new future’ study (Commission 6 January 1992) which constituted a major working document for a proposal for a Directive on tax exemptions for biofuels put forward by the Commission in 1992, (1) together with an amendment in 1994. (2) One may also mention the ‘Euro-biodiesel’, research project receiving € 16 million (‘AIR’ programme), demonstration projects supported by the ‘Thermie’ programme, several projects supported by the ‘FAIR’ and ‘JOULE’ programmes, and roughly 20 pilot projects or studies and dissemination activities funded under the ‘Altener’ programme; One may also mention the biodiesel standardisation activities carried out at European level by the CEN (European Standardisation Committee) to the order of the Commission. Finally, a European biofuels network bringing together the national associations involved in developing biofuels has been set up, using ‘Altener’ appropriations.

It is necessary to remind you of the detailed rules provided for by Commission Regulation (EC) No 2461/1999 (1) for the use of land set aside for the production of raw materials for products not directly intended for consumption. One may state, against this backdrop, that 90% of the raw materials grown under those rules are vegetable oils, a large proportion of which are used in producing biodiesel (roughly 500 000 tonnes per year).

Among these initiatives the most important is without doubt the 1992 proposal for a Directive referred to above authorising the Member States to award substantial tax abatements to biofuels. Despite the
Commission’s efforts it has not been possible to adopt that proposal owing to a lack of unanimity within the Council, as required by the EC Treaty in terms of harmonising tax law, because of opposition from a limited number of Member States. Nevertheless, the Commission has incorporated scope for the Member States to introduce tax exemptions or total or partial reductions in the level of taxation applying to biofuels (*) into its proposal restructuring the Community taxation framework for energy products put forward in March 1997. Those tax exemptions or abatements will take the form of a total or partial repayment of the excess paid.


(4) OJ C 139, 6.5.1997.

Writtten Question E-2680/00

(1 September 2000)

Subject: Breast-feeding

Complaints have been made to the Commission about the marketing activities of a number of European companies promoting baby food/milk in developing countries. However, no action seems to have been taken thus far against them.

Will the Commission indicate its policy on breast-feeding and the baby food industry with regard to developing countries?

Will it also indicate what action it has taken to encourage breast-feeding in developing countries, especially since Unicef has reported that reversing the decline in breast-feeding could save the lives of 1.5 million infants around the world every year.

Answer given by Mr Nielson on behalf of the Commission

(24 October 2000)

The Commission continues to stress the importance of protecting, encouraging and supporting breastfeeding. This method remains clearly and without any doubts the single best method for feeding infants, certainly for sero-negative mothers or mothers who do not know their human immunodeficiency virus (HIV)-status. The Commission maintains its efforts towards the baby food industry to accept and respect this policy, with regard to developing countries.

As for HIV sero-positive mothers and their infants, there is a need to study further, to monitor or to identify the conditions in which breastfeeding influences their health and life expectancy. Alternative solutions for breastfeeding for HIV sero-positive mothers can only be carefully addressed in this context of improved knowledge and reconsideration of needs and feasibility.

The Commission is supporting widely actions in the field of mother and child health, where the issue of breastfeeding may be considered. The bulk of this support is currently covered by the Community programmes targeting comprehensive health services delivery or the health system in general. These include several complementary instruments, ranging from non-governmental organisation (NGO) project support to programme or budget aid, all aiming at equitable access to appropriate health services, including health education.

The propagation of the importance of breastfeeding and the inherent caution for inappropriate use or introduction of undesirable baby food is an integral part of the Commission support.