Will the Commission explain how this critical situation arose?

In addition, at the recent ICCAT international meeting in Marrakech, the Commission’s lack of negotiating resources in the various fora accompanying this meeting was plain to see. Parliament has repeatedly condemned this situation and called for measures to be taken by the European Union to remedy it.

What will the Commission do to resolve this situation, which is calling into question the Community’s ability to provide leadership in the regional fisheries organisations?

Answer given by Mr Fischler on behalf of the Commission

(6 March 2001)

It is true that the multilateral management of fisheries in the high seas implies that the Community must face a series of challenges that are ever-increasing in number and complexity. But this case is not an isolated one, and other areas of activity of the Commission also require increased attention. In this context, the Commission must face up to all these challenges with a limited number of human resources for the period 2000-2002. The Commission, within the constraints of the staff available, tries its utmost to ensure that Community representation at international meetings is adequate both in terms of the number of officials and in terms of their qualifications.

At the recent International Commission for the Conservation of Atlantic Tunas (ICCAT) meeting, the Commission deployed a relatively large team (six officials) which was sufficient to cover the different negotiating fronts, albeit with a considerable personal effort. In other international meetings, the Commission also deploys as many officials as necessary to ensure adequate coverage, within of course the general limitations on staff applicable to the whole of the Commission.

WRITTEN QUESTION E-0028/01

by Cristiana Muscardini (UEN) to the Commission

(17 January 2001)

Subject: Frozen foods and competition

In Italy, certain companies which market frozen substances are required to pay substantial taxes known as ‘industrial contributions’ to the canning industry testing centre, a technical and scientific agency of the National Institute for Tinned Foods (INCA). Without wishing to enter into the controversial question of whether frozen foods should be considered as belonging to the category of tinned products, I would point out that, in other European Union Member States, companies which market similar frozen products do not pay specific contributions, other than standard tax.

1. Is the Commission aware of this situation? Can it confirm these tax disparities?

2. If so, does it not consider that the special tax imposed in Italy actually represents a distortion of competition in relation to similar companies in other parts of the Union?

3. What measures can it take to prevent the existence of such disparate situations in the single market, which penalise companies in one country and thereby improve the competitiveness of companies in other EU Member States?
1. The Commission was not aware of this situation.

2. There are no Community provisions in the field of taxation, which prohibit the application of charges such as this 'industrial contribution' as it has been described in the question. Article 90 (ex Article 95) of the EC Treaty concerns the prohibition to apply taxes discriminating against products from other Member States, which is not the case here. Furthermore, Article 3(3) of Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products (1) provides that Member States may introduce or maintain taxes on other products than those subject to harmonised excise duty (mineral oils, tobacco products and alcohol and alcoholic beverages), provided that those taxes do not give rise to border-crossing formalities in trade between Member States. Finally, this contribution does seem to respect Article 33 of the Sixth VAT Directive, Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment (2), which provides that Member States may maintain or introduce any taxes, duties or charges which cannot be characterised as turnover taxes. As to this last provision, reference should also be made to the judgment of the Court of Justice in case C-318/96, which ruled that Article 33 of the Sixth VAT Directive does not preclude a levy such as the Austrian ‘Kammerumlage’, which is payable by members of chambers of commerce whose turnover exceeds a certain amount.

3. Consequently, possible distortions of competition to the disadvantage of Italian producers of frozen food can only be eliminated by the Italian authority or body imposing this ‘industrial contribution’.


WRITTEN QUESTION E-0030/01
by Cristiana Muscardini (UEN) to the Commission
(17 January 2001)

Subject: Protection and restoration of historic buildings

A few years ago the Commission (DG X) was in charge every year of managing a programme to protect the architectural and artistic heritage which contributed, albeit partially, to saving many historic monuments from neglect and degradation. The recent 'Culture 2000' programme does not seem to aim at the same objectives. Are there any other sources of funding, programmes or initiatives aimed at protecting and restoring historic buildings worthy of conservation and use as art training establishments?

Answer given by Mrs Reding on behalf of the Commission
(29 March 2001)

The Honourable Member is referring to the Raphael programme, the purpose of which was to support projects promoting the conservation, safeguarding and development of the European cultural heritage by means of European cooperation, to support exchanges of experience and the development of measures in the field of cultural heritage, and to improve public access to, participation in and awareness of cultural heritage.

The ‘Culture 2000’ programme, while building on the previous programmes (Raphaël, Kaleidoscope and Ariane), both rationalises and strengthens the Community’s cultural activities.