In particular, Article 5(4) of Commission Regulation (EC) No 2777/2000 of 18 December 2000 adopting exceptional support measures for the beef market (1) exempts hides from bovine animals aged more than 30 months and not subject to one of the approved BSE rapid tests, from being stained or destroyed, provided that the hides are stored and treated separately from other hides in such a way that they can only be used for leather production.

According to Commission Decision 98/272/EC of 23 April 1998 on epidemi-surveillance for transmissible spongiform encephalopathies and amending Decision 94/474/EC (2) and to Decision 2000/764/EC of 29 November 2000 on the testing of bovine animals for the presence of bovine spongiform encephalopathy and amending Decision 98/272/EC on epidemi-surveillance for transmissible spongiform encephalopathies (3), all parts of the body, including the hide, of an animal which shows clinical signs giving rise to a suspicion of a TSE, or of an animal examined by one of the approved BSE rapid tests, must be destroyed if the diagnosis indicates the presence of TSEs or if the result of the test is positive.


(2001/C 235 E/249)
WRITTEN QUESTION E-0482/01
by Herbert Bösch (PSE) to the Commission
(21 February 2001)

Subject: Directives on the publication of company accounts and fundamental rights


When the directives were adopted, there was a need to ensure transparency. Since then, however, data protection considerations have become increasingly important and, consequently, the directives should be reviewed to see whether they reflect current needs.

What is the Commission’s view of the relationship between the directives on the publication of company accounts and European fundamental rights?


Answer given by Mr Bolkestein on behalf of the Commission
(23 April 2001)

The Directives on the publication of company accounts (1) require companies to publish their annual accounts, but they do not require associates to disclose personal data. Only the emoluments of members of the various bodies must be published, as a total figure for each category. Moreover, Member States may authorise non-disclosure of this information if it enables the status an individual member of any of these bodies to be identified (see Article 43(1), subparagraphs (12) and (13), of Directive 78/660/EEC).

The capital of the company is the ultimate safeguard for creditors. The disclosure obligation thus strikes a balance between the legitimate interests of traders, who want to reduce their liability, and those of creditors, who do not want to take any unwarranted risks.
Neither the Data Protection Directive (1) nor European fundamental rights have done anything to alter this state of affairs or the legal situation. The Data Protection Directive does not apply to the processing of personal data of natural persons. In addition, the Charter protects only natural persons and not legal entities.

Consequently, the Commission takes the view that there is no conflict between the Directives on the publication of company accounts and European fundamental rights, particularly the fundamental right to data protection, and that there is therefore no need to revise the Directives on the publication of company accounts.


WRITTEN QUESTION E-0484/01
by Niels Busk (ELDR) and Elspeth Attwooll (ELDR) to the Commission
(22 February 2001)

Subject: State aid to support the fishing industry

Following the Commission's recent decision to consult a formal investigation into state aid schemes in France and Spain, which are providing support to the fishing industry following increases in fuel prices, can the Commission indicate what forms of state aid to the fishing industry would be compatible with the competition rules of the single market?

Has the Commission been notified of state aid schemes in other Member States aimed at structural assistance in the fisheries sector?

Answer given by Mr Fischler on behalf of the Commission
(21 March 2001)

State aid schemes for the fisheries sector are examined in the light of the Guidelines for the examination of State aid to fisheries and aquaculture, whatever the grounds on which those schemes are justified. When the fuel crisis arose last year, the Guidelines in force were those adopted by the Commission in 1997 (1) and the Guidelines applying at the present time were adopted on 29 November 2000 (2).

These new Guidelines were drawn up in order, among other things, to take into account the new rules and arrangements regarding Community structural assistance in the fisheries sector, adopted by the Council on 17 December 1999, Council Regulation (EC) No 2792/1999 (1). As provided for by Article 19(1) of that Regulation, Member States have to notify the Commission of the aid schemes entered within the framework of this structural assistance and therefore co-financed by the Financial Instrument for Fisheries Guidance (FIFG).

Most of the Member States have, at the present time, begun to notify such co-financed aid schemes. Some of them have already been adopted by the Commission.