WRITTEN QUESTION E-3282/01
by Laura González Álvarez (GUE/NGL) to the Commission

(27 November 2001)

Subject: Environmental pollution in San Claudio (Oviedo-Asturias, Spain)

The ‘San Claudio Aire Limpio’ environmental association (Amascal) has lodged complaints with various authorities in the Spanish region of Asturias concerning the air and soil pollution produced by the Indasa company, which is based in San Claudio, in the district of Oviedo (Asturias, Spain). In its smelting furnace the company uses scrap metal, paint waste, ink and lubricating oils, all of which are regarded as hazardous waste products. The air and soil pollution from heavy metals (lead, cadmium, etc.) which the company generates in a location only 300 metres from the town centre (and thus in breach of Spanish law, which requires such industries to be at least 2,000 metres away from inhabited areas) makes the local population fear for their health and for the future of the area in which they live.

In 1966 the European Union’s predecessor adopted a framework directive intended to improve air quality and there are also Community laws laying down emission ceilings for each Member State. Furthermore, as regards waste, Directive 75/442/EEC(1), which establishes the basic principles relating to the collection, disposal, re-use and treatment of waste, has been supplemented by Directive 78/319/EEC(2) on the elimination of toxic and dangerous waste.

In the case in question the following Directives could be applicable:

- Directive 1999/30/EEC(3) on the limit values for sulphur dioxide, nitrogen dioxide, particulate matter and lead in ambient air;
- Directive 82/884/EEC(4) and the amendments thereto, on a limit value for lead in air;
- Directive 88/609/EEC(5) and the amendments thereto, on the limitation of emissions of certain pollutants into the air from large combustion plants;
- Directive 96/62/EC(6) on ambient air quality assessment and management.

What action is the Commission intending to take in the case under consideration in order to ensure that current Community legislation is properly applied?

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(2) OJ L 84, 31.3.1978, p. 43.

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Answer given by Mrs Wallström on behalf of the Commission

(25 January 2002)

The Commission is aware of the facts mentioned by the Honourable Member due to a complaint it has received on the matter.

In the course of its inquiries relating to this complaint, the Commission asked the Spanish authorities to comment on the application of Community environment law likely to be relevant.
The Commission has just received the Spanish authorities’ reply and is in the process of examining it. Whatever the circumstances, as guardian of the Treaties, the Commission will be taking any steps necessary to ensure that Community law is complied with.

The Commission will be sure to inform the Honourable Member on the results of its investigation.

(2002/C147 E/150) WRITTEN QUESTION E-3285/01
by Paulo Casaca (PSE) to the Commission
(27 November 2001)

Subject: Tobacco smuggling

There emerges from the OLAF annual report for the year 2000 a highly disturbing picture of fraud in the own-resources field which is perpetrated in particular by means of tobacco smuggling.

Could the Commission confirm whether or not the country which produces the most frequently seized tobacco brands is a Member State?

Could the Commission confirm that the country in question is the United Kingdom?

What action has the Commission taken in order to put an end to this state of affairs?

Answer given by Mrs Schreyer on behalf of the Commission
(25 January 2002)

The Commission would like to point out that, in the year 2000, approximately 50% of the cigarette seizures in the Community which have been notified to the European Anti-fraud Office (OLAF) were of brands popular in the United Kingdom. These are brands which are produced by United Kingdom manufacturers.

The Commission co-operates closely with the relevant services in the Member States in order to identify the source of, and to combat, international cigarette smuggling.

(2002/C147 E/151) WRITTEN QUESTION E-3286/01
by Paulo Casaca (PSE) to the Commission
(27 November 2001)

Subject: CAP financial adjustments

From the reply to my written question E-2107/01(1) I have finally been able to deduce beyond any doubt that the Commission has not carried out any financial adjustments in respect of the improper payment by the Dutch authorities of subsidies to facilitate sales of skimmed-milk powder, despite the fact that the Court of Auditors had detected payments made by those authorities in respect of 3 350 kg of skimmed-milk powder, an analysis of which (carried out prior to the payments) revealed that it had been adulterated.

However, in its reply to paragraph 70 of the Court of Auditors report No 4, the Commission states its intention that Portugal should be required to make financial adjustments for having failed to carry out computerised cross-referencing of files relating to subsidies paid in respect of suckling cows and male bovines on its own initiative, but only when it was suggested that it should do so.