Answer given by Mr Liikanen on behalf of the Commission  
(14 February 2002)

Within the framework of its preparation of proposals and actions, the Commission’s policy is to consult all its interlocutors. In the area of enterprise policy, the ERT is amongst these interlocutors.

Members of the Commission have had a number of meetings with representatives of the European Round Table (ERT) of Industrialists as part of the Commission’s general process of consultation with civil society.

Discussions with ERT representatives have generally concentrated on issues related to enterprise and competitiveness issues.

WRITTEN QUESTION P-3715/01  
by Glyn Ford (PSE) to the Commission  
(9 January 2002)

Subject: Colour coding for milk

Within the UK there exists a number of different colour codes for different types of milk. In Plymouth, for example, skimmed milk is colour coded green. However, in Bristol, skimmed milk is coded red, and green is allocated to the semi-skimmed milk.

For people travelling regularly from one part of the country to another, this can lead to great confusion.

Can the Commission indicate if it is considering colour coding the packaging for milk, in order to ensure greater harmonisation?

Answer given by Mr Fischler on behalf of the Commission  
(31 January 2002)

Marketing standards for drinking milk are laid down in Council Regulation (EC) No 2597/97 of 18 December 1997 laying down additional rules on the common organisation of the market in milk and milk products for drinking milk (1). This Regulation deals notably with sales denominations and compositional requirements for drinking milk but contains no provisions on the use of colour codes.

It should be underlined that the use of colour codes is a typical British phenomenon linked to the important market share of fresh milk sold in glass bottles. The Commission believes there is not sufficient justification for regulating the use of colour codes at Community level and that, therefore, the principle of subsidiarity should apply in this case.


WRITTEN QUESTION E-0004/02  
by Jan Mulder (ELDR) to the Commission  
(17 January 2002)

Subject: Placing on the market of seed potatoes: Article 4 of Directive 98/95 amending Directive 66/403

Article 4, Paragraph 2 of Directive 98/95/EC (1) amending Directive 66/403/EEC (2) contains the following text in relation to the placing on the market of seed potatoes: The supply of seed under certain conditions
to providers of services for the production of certain agricultural raw materials, intended for industrial purposes, or seed propagation for that purpose, shall not be regarded as marketing, provided the provider of the services does not acquire title to either the seed thus supplied or the product of the harvest'.

This implies that seed potatoes and potatoes thus produced would no longer have to meet the multiple requirements of variety identity, plant health, calibration or labelling, as contained in the 66/403/EEC marketing directive for seed potatoes.

1. What is the current status on implementation of the above provision in the European Union and/or in the respective Member States?

2. Is the Commission of the opinion that implementation of the above provision in the realm of seed potatoes could lead to an undesirable situation with regard to:

(a) plant health, such as information on and control of potato diseases;

(b) the fundamental principles of the seed marketing directives that aim to create a controllable and open European market of registered varieties;

(c) consumer concerns relating to, for example, traceability and GMOs?

3. Does the Commission agree that implementation of the cited exception could imply an undesirable change in the position of seed potato growers and breeders as they may be confronted with competition from emerging ‘integrated production chains’, which, due to their exclusion from certain requirements in the directive, can produce with lower costs?

4. Considering the above, is the Commission of the opinion that there is a clear need to propose a change of Article 4, Paragraph 2 of Directive 98/95/EC amending Directive 66/403/EEC, deleting the cited provision?

5. And in case question four is answered positively, when could a proposal to amend the Directive be expected?

(2) OJ P 125, 11.7.1966, p. 2320.

Answer given by Mr Byrne on behalf of the Commission

(28 February 2002)

Article 1a, last subparagraph of Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes (1) as amended by Council Directive 98/95/EC of 14 December 1998 (2) requires that the conditions for the application of the provision referred to by the Honourable Member shall be determined under the relevant Committee procedure. These conditions are currently under consideration, both in the Commission and with the Member States.

1. The Commission is collecting information on the current status of implementation of the provision concerned in the Member States, and the respective conditions therefore. As soon as this compilation is completed, the Commission will inform the Honourable Member of the outcome.

2. and 3. The Commission shares the concern of the Honourable Member that an unconditional implementation of the provision could lead to undesirable effects such as those outlined in points 2 and 3 of the question. It is its intention to set up the required conditions in implementing measures to prevent these effects.
4. and 5. At this stage the Commission is not of the opinion that the relevant provision should be deleted. It is confident that the aforesaid implementing measures can effectively address the concern expressed. These implementing measures are currently under preparation, and their adoption can be expected by the end of 2002.


WRITTEN QUESTION E-0023/02
by Bartha Pronk (PPE-DE) to the Commission
(21 January 2002)

Subject: Compliance with the Engelbrecht judgment in Belgium

In 2001 I tabled a number of questions about compliance with the Engelbrecht judgment in Belgium (see written questions E-2263/01[1] and P-2638/01[2]). In answer to my questions, the Commission informed me that it had asked the Belgian Government to explain the policy it was pursuing with regard to the judgment given by the Court of Justice. In reply to my questions of 21 September, the Commission informed me that no reply had yet been received from the Belgian Government. I have recently learned through bilateral contacts that the Belgian Government still has not adopted any formal position.

1. Has the Belgian Government still not formally replied to the Commission’s request for information, as my informal contacts indicate?

2. As the Belgian Government is not even responding to reminders, will the Commission initiate the procedure provided for by Article 226 of the EC Treaty?

3. If the answer to question 2 is negative, does not the Commission agree that it is undesirable to leave frontier workers in the dark about their pension entitlements? Is it not extremely undesirable for Member States to ignore judgments of the Court of Justice and do everything in their power to frustrate decision-making on the subject?

4. If the answer to question 2 is affirmative, when was the procedure initiated, and has the Belgian Government already responded to it?


Answer given by Ms Diamantopoulou on behalf of the Commission
(21 February 2002)

The Commission would inform the Honourable Member that it has received an answer from the Belgian authorities concerning the measures that they intend to take in order to comply with the judgment delivered on 26 September 2000 in the Engelbrecht case (C-262/97), as regards the treatment of cases similar to that of Mr Engelbrecht.

In fact, the Belgian authorities have sent the Commission the draft of the text containing the measures that they intend to take, with a request for an opinion.

The Commission is currently examining this draft in order to check that the measures planned are a satisfactory response to the above-mentioned case-law.