Article 2 of the above Directive establishes the principle that labelling must not be such as could mislead the consumer as to the characteristics of the foodstuff and, in particular, as to its nature, identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production.

The national authorities continue to be responsible for monitoring compliance with these provisions and for taking action if they ascertain any infringements.

The Commission would like to remind the Honourable Member that Regulation (EC) No 2026/2000 (3) provides in particular for support for information programmes on the Community systems of protected designations of origin (PDOs), protected geographical indications (PGIs) and traditional specialities guaranteed (TSGs).

Programmes such as these may be proposed by trade associations or inter-branch organisations or, in the absence of a private initiative, by the Member States concerned.

(2) OJ L 33, 8.2.1979.

(2003/C92E/287)

WRITTEN QUESTION E-3089/02

by Antonio Di Pietro (ELDR) to the Commission
(28 October 2002)

Subject: Safe Driving Centre in Luxembourg

In my written question E-0690/00 (1) on the rules applied in Luxembourg to the setting up of safe driving centres in that country, I pointed out that the provisions in question clearly placed the Colmar Berg Advanced Training Centre in a privileged position as a result of the application of rules specifically tailored to that establishment.

The Commission looked into the matter, and decided to open infringement proceedings (No 1999/4982) against Luxembourg on the basis of Article 226 of the EC Treaty. A letter of notification was sent to the Luxembourg government on 12 September 2000, to which the government failed to provide a satisfactory reply. A second letter was sent on 20 December 2001, to which the Luxembourg authorities have not yet replied.

Effective discrimination continues to apply, therefore, since the monopoly position enjoyed by the centre, which turns out to be a subsidiary of a holding company headed by the Austrian company 'Test and Training', arises from national rules drawn up on the basis of the technical characteristics of the Colmar Berg facility and geared solely to the services it offers. The rules in question discriminate against other operators, as in order to be able to open a centre in Luxembourg they would be obliged to construct — needlessly, without any justification and at very great cost — identical structures to those in Colmar Berg, even though, as the Commission has pointed out, the characteristic features of that centre are not essential to the safety of users.

Moreover, as it is obligatory to pass a safe driving course in order to obtain a driving licence in Luxembourg, potential customers are in effect deprived of freedom of choice, as the Colmar Berg centre is the only one there is.

Does the Commission intend to remedy this situation, which undermines the Community principles of freedom of establishment and freedom to provide services and simultaneously creates a monopoly position, in defiance of the rules of free competition? If so, when does it intend to send the Luxembourg government a reasoned opinion, which is indispensable if the infringement procedure opened earlier is to be pursued?

Answer given by Mr Bolkestein on behalf of the Commission
(29 November 2002)

As the Honourable Member points out, the Commission opened infringement proceedings against Luxembourg in connection with rules laying down approval criteria for the provision of additional ‘post-licence’ driving instruction.

That procedure gave rise to an exchange of several letters between the Luxembourg authorities and the Commission. Following a detailed examination and evaluation of the numerous technical arguments put forward by the Luxembourg authorities, the Commission is now studying evidence recently supplied by the complainant.

It is analysing this complex information in the light of the EC Treaty, with particular reference to the principle of freedom of establishment laid down in Article 43, in order to determine the need for, and justification of, the rules applicable to facilities in which ‘post-licence’ training could be provided.

The Commission should be deciding very shortly on the action to be taken on this matter and will inform the Honourable Member and the complainant of its decision without delay.

(2003/C92E/288)

WRITTEN QUESTION E-3102/02
by Roberta Angelilli (UEN) to the Commission
(29 October 2002)

Subject: Public day nurseries in Rome

The European Council’s discussions in Seville on 21 June 2002 and the recommendation it adopted concerning the broad economic policy guidelines for the Member States and the Community showed that the employment market in Italy still exhibited many shortcomings from an EU perspective, above all with regard to the promotion of women’s employment.

One of the factors working against women's employment is the lack of public childcare facilities, and in particular of local day nurseries.

In Rome, for example, the number of childcare facilities is not sufficient to meet demand, which means that few places are available for children and there are therefore long waiting lists. Until now, Rome City Council has failed to effectively address the seriousness of the situation in the city, and childcare facilities are still unavailable for around 5000 children.

Could the Commission therefore state:
1. whether there are examples of good practice in this area;
2. whether there are any papers or studies concerning this area;
3. its general opinion on this situation.

Answer given by Mrs Diamantopoulou on behalf of the Commission
(27 November 2002)

1. For examples of best practice, the Commission would refer the Honourable Member to a report entitled ‘Care in Europe’ which includes an analysis of the strategies of all Member States on childcare. The Commission is sending this report direct to the Honourable Member and to Parliament's Secretariat.