Under Article 211 of the EC Treaty, the Commission is responsible for ensuring that Member States properly apply Community law. In matters which are not covered by Community law the Commission is unable to intervene.

The situation described by the Honourable Member does not appear to be covered by Community law. So the Commission would have no basis for intervening. The matter would have to be brought to the attention of the appropriate authorities in Greece.

Answer given by Mrs de Palacio on behalf of the Commission  
(29 March 2004)

The Commission agrees that air carriers have an important part to play, alongside health authorities, in informing passengers about the possibility of developing deep vein thrombosis. As a precautionary measure, they should warn their passengers of the risk of deep vein thrombosis, of predisposing factors to the illness and of preventive measures to take before flying and on-board the aircraft. The Vice-president of the Commission in charge of Energy and Transport has written to Community carriers urging them to give passengers such information and intends now to write again to see what each airline has done. However, the Commission considers that it is for airlines to decide on the most effective means of getting the message across rather than for public authorities to lay it down.

The Commission is financing research on the strength and nature of the link between air travel and deep vein thrombosis, the results of which will be available in mid-2005. This should considerably advance understanding of the condition and of what should be done to prevent it. It is also supporting research on conditions in aircraft cabins, including air quality, on which possible measures could be based.

Answer given by Mrs Wallström on behalf of the Commission  
(1 April 2004)

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Italy and other EU countries which had not benefited from contributions of this kind. Article 37 of Regulation (EEC) No 1255/1999 (1) was therefore applicable in full. Consequently, by Decision of 11 April 2000, notified under reference C(2000) 1173(2), the Commission ordered the Italian government to recover from ACCL the aid granted to write off its losses during the financial years 1992 to 1997 in an amount of LIT 96.6 billion, together with interest running from the date on which the aid was made available until the date of its actual recovery.

So far, however, the amounts wrongly paid have not been recovered by the relevant Italian authorities and no recovery procedures are underway, despite the fact that the European Commission has sent the Italian government a letter of reminder asking it to verify whether the amounts have actually been recovered.

Can the Commission answer the following:

1. Who complained to the Commission about these operations in 1996?

2. Which Italian authorities were notified of the Commission's decision and did those authorities inform the Commission of the timetable and procedures for recovering the amounts involved within the following two months, as required by that decision?

3. Which other entities, apart from the Italian government, then had to be informed and by which Community bodies?

4. Who in fact should have received the notification and who should have acted upon it?

5. Are there any rules governing the recovery of such amounts and is there a limitation period for recovery?

6. Has the Commission applied to the Court of Justice under Article 88(2) following the Italian government's failure to notify it of the measures taken to comply with the Commission decision by 19 December 2000 and, if not, why not?


Answer given by Mr Fischler on behalf of the Commission

(30 March 2004)

On 11 April 2000 the Commission adopted Decision 2000/628/EC regarding the aids granted by Italy to the Azienda Comunale Centrale del Latte di Roma.

1. As indicated in the above-mentioned Decision, the investigation on the State aid granted to the Rome milk plant was initiated in 1996 following a complaint of an individual.

2. Commission Decision 2000/628/EC was notified by the Commission to the Italian State, via the Permanent Representation of Italy to the European Union. From the Commission file it does not appear that the timetable and the procedures for recovering the amounts involved were communicated to the Commission within two months.

3 and 4. Following the notification of a decision from the Commission to a Member State, the Member State is responsible for the implementation of the Commission decision within its jurisdiction. Save as otherwise provided by Article 20 of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (1), no other entities have to be directly informed by the Commission. The Commission informs the public of the final decisions adopted by it through their publication in the Official Journal of the European Union, as happened in this case.

6. The Commission has not referred the case to the Court of Justice under Article 88(2) of the EC Treaty. The Commission is in the process of verifying what measures the Italian State has taken to comply with the above-mentioned Decision regarding the aids granted by Italy to the Azienda Comunale Centrale del Lattè di Roma. If, after this verification, the Commission is informed that Italy has not complied with the said Decision, as stated by Article 88(2) of the EC Treaty, the Commission may, in derogation from the provisions of Articles 226 and 227, refer the matter to the Court of Justice.


(2004/C 84 E/0670) WRITTEN QUESTION P-0472/04
by Roger Helmer (PPE-DE) to the Commission
(11 February 2004)

Subject: Common External Tariffs

In 2002, under the Common External Tariff, what was the aggregate value (in euro billion) of the customs duties (i.e. ‘tariffs’) that the 15 EU Member States collected on goods (including agricultural produce) imported into the EU from countries which were not members of the EU; and what was the aggregate value in 2002, (in billion euro), of all such imports of goods (including agricultural produce) into the EU from countries which were not members of the EU?

Answer given by Mrs Schreyer on behalf of the Commission
(5 March 2004)

Customs duties (i.e. duties on non-agricultural products) and agricultural duties are collected by Member States on imports from third countries and are paid with a two-month delay to the Commission, after deduction of 25% in collection costs.

For the year 2002, the aggregate value for the EU-15 of agricultural duties and customs duties recorded in the EU accounts, before deduction of collection costs, amounted to EUR 1,18 billion and EUR 12,92 billion, respectively.

The aggregate value of import duties collected on goods (including agricultural products) — i.e. the addition of the last two above-mentioned figures — amounted consequently to EUR 14,10 billion for the EU-15 in 2002.

See below the breakdown by Member State.

<table>
<thead>
<tr>
<th>Member State</th>
<th>Agricultural duties</th>
<th>Import duties (excluding agricultural duties)</th>
<th>Import duties (including agricultural duties)</th>
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<td>14 097,8</td>
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<tr>
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