Initiation of proceedings

(Case COMP/M.2097 — SCA/Metsä Tissue)

(2000/C 284/11)

(Text with EEA relevance)

On 26 September 2000 the Commission decided to initiate proceedings in the abovementioned case after finding that the notified concentration raises serious doubts as to its compatibility with the common market. The initiation of proceedings opens a second phase investigation with regard to the notified concentration. The decision is based on Article 6(1)(c) of Council Regulation (EEC) No 4064/89.

The Commission invites interested third parties to submit their observations on the proposed concentration.

In order to be fully taken into account in the procedure, observations should reach the Commission not later than 15 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2097 — SCA/Metsä Tissue, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
Rue Joseph II/Jozef II-straat 70,
B-1000 Brussels.

Commission's services communication concerning the complaints to the European Commission on the Swedish legislation allowing controls of postal packages and road vehicles etc. — P/1998/4478

(2000/C 284/12)

The Commission's services have investigated the complaints from some 7 000 Swedish citizens which have arrived after the Swedish legislator introduced rules allowing controls of postal packages etc. on 1 July 1998.

Concerning some types of goods (alcohol, tobacco and mineral oils), the Member States have retained the right to maintain national excise duties for private imports over certain quantities, i.e. the Member States have a right to levy excise duties (and with this right goes a certain right to control) or to verify that these excise duties actually are paid.

At the same time, Community laws do not border control of goods since the internal Market was completed on 1 January 1993. To that end, Community law forbids border controls that are systematic. Controls shall in principal only take place on the basis of suspicion.

During its investigation, the Commission services have found that the package controls as such do not delay the postal service and do not cause other hindrance to cross-border trade.

Moreover, the Swedish authorities have shown that in the control work, they have an overwhelming accuracy rate in finding untaxed goods close to 100 %.

These facts together also indicate that the controls as such may be justified.

Consequently, the Commission services consider that there is no reason to suspect that Sweden infringes Community law because of the package controls as such. The Commission will therefore propose to the Commission the closure of this case.