

Article 16 of Directive 90/220/EC provides for a safeguard clause, which allows Member States to 'provisionally restrict or prohibit the use and sale of that product' when a Member State 'has justifiable reasons to consider that a product which has been properly notified and has received written consent constitutes a risk to human health or the environment'. The Commission and the other Member States are immediately informed of this measure and the reasons for the decision.

The Commission is aware that *Bacillus thuringiensis* (Bt) has been used for a long time in organic agriculture, apparently with a good safety record. The Commission is also aware of the experimental study on exudates of the insecticidal toxin from insect resistant corn plants. Following the publication of these new findings a procedure according to Article 16 of Directive 90/220/EC has been recently launched by Germany. The reasons given for the application of the Article 16 procedure have been sent to the scientific committee to see whether they constitute relevant scientific data that invalidates the original risk assessment for these products.

Based upon the opinion of the scientific committee on the issue, the Commission will take the appropriate measures.

Under its Fifth framework research and technological development programme, the Commission is supporting biosafety research, which seeks to address all aspects of the impacts of GMOs on the environment. The results in a popular format will soon be published and made available to the Parliament.

(¹) OJ L 117, 8.5.1990.

(2001/C 113 E/024)

WRITTEN QUESTION E-1578/00

by William Newton Dunn (PPE-DE) to the Commission

(19 May 2000)

Subject: Testing for the carcinogenic properties of man-made vitreous fibres

I am informed that, during the mid-1990s, the Commission were conducting bio-persistence tests over a five-year period in order to ascertain the carcinogenicity or otherwise of man-made vitreous fibres, for example Rockwool and Glasswool.

Are the results of these tests known yet?

Answer given by Mrs Wallström on behalf of the Commission

(5 July 2000)

A Commission Directive of 1997 (¹) laid down the classification and labelling of certain man-made vitreous fibres according to their dangerous properties including tests for carcinogenicity. Article 2 of that Directive states that 'During the period of five years after the entry into force of this Directive, the Commission shall evaluate scientific developments and adopt measures to delete or amend Note Q'. Note Q relates to the testing of the possible carcinogenic effects of such fibres.

The Commission is carrying forward the evaluation of a biopersistence test for inhalation, a so-called '90 days study'. Its evaluation is in progress in co-operation between the European Chemicals Bureau (ECB) of the Joint Research Centre, fibre industry associations and a renowned test house. The first phase will be finalised within several months from now. Further tests on biopersistence will be evaluated in the near future in co-operation between the ECB, industry and several test houses.

These activities will lead to a range of harmonised test protocols concerning the carcinogenic capacity of man-made vitreous fibres.

(¹) Commission Directive 97/69/EC of 5 December 1997 adapting to technical progress for the 23rd time Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 343, 13.12.1997).

(2001/C 113 E/025)

WRITTEN QUESTION E-1602/00

by Cecilia Malmström (ELDR) to the Commission

(29 May 2000)

Subject: Subsidiarity principle

The Treaty of Amsterdam, which entered into force on 1 May 1999, has annexed to it a protocol on the application of the principles of subsidiarity and proportionality. The protocol clarifies and lays down further criteria for the application and observance of those principles. Has the introduction of this protocol led to any changes in the Commission and in the working methods of its officials and, if so, what changes have taken place to ensure that the principles of subsidiarity and proportionality are observed?

Answer given by Mr Prodi on behalf of the Commission

(6 July 2000)

The Commission has organised itself internally to take account of the protocol on the application of the principles of subsidiarity and proportionality. This protocol takes up the essentials of the guidelines drawn up at the 1992 Edinburgh European Council, which the Commission has always endeavoured to fully respect.

From July 1998 new internal guidelines were presented and distributed to Commission departments, which aimed to define more clearly what action should be taken in the light of the information given in the protocol.

These instructions have brought results which can be seen, in particular, in Commission departments giving clearer explanations for planned Community action in the light of the principles of subsidiarity and proportionality.

(2001/C 113 E/026)

WRITTEN QUESTION E-1617/00

by Francesco Turchi (UEN) and Mauro Nobilia (UEN) to the Commission

(29 May 2000)

Subject: Irregularities involving NGOs supplying aid to Kosovo

According to authoritative news reports, the Commission has in its possession a detailed report revealing how numerous humanitarian NGOs sprung up suddenly in Europe and Albania during the war in Kosovo and vanished without trace when the conflict ended. These organisations apparently used the cover of aid operations to smuggle urgently needed goods and products, paid for by governments and international donors, and sell them on the black market. In some cases, humanitarian aid was used as a front for arms trafficking by the KLA. The report was drawn up by the Customs Assistance Mission (CAM) in cooperation with the Albanian authorities and was funded by the Commission. The report highlights the serious irregularities affecting more than 40% of the NGOs and cases of bodies run directly by criminal organisations, which resulted in a massive fraud to the detriment of Kosovan refugees and a decline in regular exports to Albania, which fell by more than 60% during the period concerned. The report is in the