

Reply

(9 November 1998)

As the Honourable Member will no doubt be aware, Mr Einem, the Austrian Minister for Science and Transport, and Mr Farnleitner, Federal Minister for Economic Affairs, met the European Parliament's Committee on Transport and Tourism on 1 and 28 September 1998 respectively, to present the Presidency's programme.

Statements to Parliamentary Committees by Ministers from the Member State holding the Presidency of the Council have now become a well-established practice, which helps encourage exchanges of views between the Council and the European Parliament on the various subjects under examination.

(1999/C 96/145)

WRITTEN QUESTION E-2483/98

by Karl Habsburg-Lothringen (PPE) to the Commission

(30 July 1998)

Subject: Free movement of goods — Hungary

On 1 February 1994 the Association Agreement between the European Union and Hungary came into effect; it provides for the application, on a reciprocal basis, of the provisions of Articles 30 and 36 of the EC Treaty concerning the free movement of goods.

Is the Commission aware that Hungary is nonetheless prohibiting the sale of food products which are legitimately manufactured and marketed within the Community, namely energy drinks, and is invoking 'mandatory requirements' in connection with this measure, while being unable to cite reservations on health grounds?

What does the Commission propose to do to ensure that the provisions of the Association Agreement with Hungary concerning the free movement of goods are applied?

Answer given by Mr van den Broek on behalf of the Commission

(1 October 1998)

While the Europe agreement with Hungary came into effect on 1 February 1994, the trade related part of the agreement was already put into effect on 1 March 1992 as an interim agreement.

The Commission is well aware that Hungary prohibits the sale of an energy drink which is legitimately manufactured and marketed within the Community and which had been marketed in Hungary for six years. The Hungarian authorities rely on article 35 of the Europe agreement permitting the prohibition of imports for public health reasons, and claim that the high content of caffeine, taurine and certain vitamins could cause harm to human health. Therefore, they called for the content to be lowered before renewing the permission for sale and marketing of this product.

The Commission does not share this opinion since the energy drink is not harmful for public health and such decrease of the content of caffeine, taurine and certain vitamins would change the product substantially. This issue was already discussed several times with the Hungarian authorities both in the institutional framework of the Europe agreement (association committee and various sub-committee meetings) and in other contacts. Despite the Commission's several requests to remove this trade barrier, the Hungarian authorities have neither renewed the permission for the import and marketing of this product nor provided the Commission with the scientific evidence for this prohibition. The Commission will continue to follow this issue closely and request the removal of this trade barrier.