

## Reply

(2 December 1999)

The Council would remind the Honourable Member that the Treaty of Amsterdam confirmed that consumer policy is an area to which the European Community can and must bring added value. Article 153(1) of the Treaty establishing the European Community defines the Community's objectives in that connection, in particular having regard to its links with health policy and with promoting the right of consumers to information.

In that context, and more particularly with respect to the questions raised, the Council would inform the Honourable Member that Regulation No 258/97 applies to foods and food ingredients placed on the market before it entered into force only if they 'have not hitherto been used for human consumption to a significant degree within the Community' (Article 1(2) of the Regulation). In such cases, the initial assessment procedure laid down in Article 6 applies.

It is for the Commission, and more particularly the Standing Committee for Foodstuffs (cf. Article 1(3) of the Regulation), to determine by committee procedure whether a type of food or food ingredient falls within the scope of the Regulation, and to lay down (in principle on a case-by-case basis) the qualitative criteria attached to each such type of food or food ingredient in order to determine whether it is covered by the Regulation.

It should also be emphasised that Article 1 of Regulation No 258/97 makes no distinction between foods and food ingredients, and this applies in particular when it comes to identifying the content and scope of approval in the Member State concerned.

Finally, the Council would suggest that the Honourable Member contact the Commission directly regarding those questions which have not been answered, as they are within its field of competence.

(2000/C 170 E/033)

### WRITTEN QUESTION P-1537/99

by **Carmen Fraga Estévez (PPE-DE) to the Commission**

(1 September 1999)

*Subject:* Compliance with Regulation (EC) 1239/98 outlawing fishing with driftnets

Regulation (EC) 1239/98 of 8 June 1998<sup>(1)</sup> amending Regulation (EC) 0894/97 laying down certain technical measures for the conservation of fishery resources outlaws the use of driftnets by Community vessels, as of 1 January 2002. Nonetheless, the Regulation authorises the phasing-out of driftnets as of 1998: Article 1(3) states that in 1998 the maximum number of vessels which may be authorised by a Member State to carry on board or fish with one or more driftnets shall not exceed 60% of the number of vessels which used one or more driftnets over the period 1995-1997. The second fishing season for the longfinned tuna (*Thunnus alalunga*) since the Regulation came into force has already started.

In view of this, does the Commission consider the situation to be satisfactory as regards the two fishing seasons thus far? What is the Commission's evaluation of the degree of compliance with the Regulation by the fleets concerned?

<sup>(1)</sup> OJ L 171, 17.6.1998, p. 1.

(2000/C 170 E/034)

### WRITTEN QUESTION E-1561/99

by **Carmen Fraga Estévez (PPE-DE) to the Commission**

(1 September 1999)

*Subject:* List of vessels that have stopped using drift-nets in compliance with Regulation (EC) 1239/98

Council Regulation (EC) 1239/98<sup>(1)</sup> of 8 June 1998 amending Regulation (EC) 0894/97 laying down certain technical measures for the conservation of fishery resources, bans the use of drift-nets by