

Additionally, the Commission recently carried out a questionnaire survey to monitor, amongst other things, the disposal of processed animal protein. The survey revealed that some Member States were exporting processed animal protein to third countries for incineration or for use in pet food. These exportations were all in accordance with Article 3 (2) of Decision 2001/9/EC. None of the Member States informed the Commission about exportation of processed animal proteins to Brazil. If the Honourable Member has information indicating such export to Brazil, she is kindly invited to forward this information to the Commission.

(¹) OJ L 306, 7.12.2000.

(2002/C 205 E/254)

WRITTEN QUESTION E-0883/02
by Elizabeth Lynne (ELDR) to the Commission

(3 April 2002)

Subject: Commission action following the ECJ judgment in Case C-1/00 of 13.12.2001

What measures, if any, is the Commission taking following the judgment of 13 December 2001 of the European Court of Justice in Case C-1/00 Commission v France (Failure of a Member State to fulfil its obligations – Refusal to end the ban on British beef and veal)?

In the light of the continuing illegal French ban on British beef, has the Commission initiated the procedure under Article 228 of the EC Treaty which would lead to its being able to specify the fine that France would have to pay.

Answer given by Mr Byrne on behalf of the Commission

(7 May 2002)

The Commission, not having received satisfactory assurances from the French Government concerning its compliance with the Court's judgement, has opened the procedure under Article 228 of the EC Treaty. The letter of formal notice under the relevant procedure giving France 30 days to submit its observations was sent to that Member State on 21 March 2002. A reply was issued by the French authorities on 19 April and is currently under consideration.

The question of a lump sum or penalty payment referred to in Article 228(2) only becomes relevant at a later stage in the proceedings, namely if after failure of the Member State concerned to comply with the Commission's reasoned opinion the Commission brings the case before the Court of Justice.

In such a case the Commission is required to specify the amount of the lump sum or penalty which it considers appropriate. The final decision on whether or not to impose the lump sum or penalty and its amount rests with the Court.

(2002/C 205 E/255)

WRITTEN QUESTION E-0887/02
by Miquel Mayol i Raynal (Verts/ALE) to the Commission

(3 April 2002)

Subject: Official language in Italy

The Italian Parliament is currently considering a proposal to amend the constitution by declaring Italian the official language of the Republic. This would end a tradition of protecting and safeguarding other official languages in part of the territory of the Italian republic and runs counter to the country's linguistic riches.