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## Information and Notices

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## I

*(Information)*

## EUROPEAN PARLIAMENT

## WRITTEN QUESTIONS WITH ANSWER

## WRITTEN QUESTION No 834/78

by Mr Jahn

to the Commission of the European Communities

*(4 December 1978)*

*Subject:* State of progress in the implementation of the Directive on the quality of bathing waters

In Written Question No 391/78 <sup>(1)</sup> Mr Yeats asked the Commission for information

- (a) on the precise date on which each of the five Member States had translated Directive 76/160/EEC on the quality of bathing waters <sup>(2)</sup> into national law and notified the Commission thereof, as laid down in Article 12 of the Directive, and
- (b) on the steps the Commission was taking to ensure that the remaining four Member States fulfilled their obligations under Article 12 of the Directive without delay.

As the Commission's reply to this question was totally inadequate, would it state:

1. What prevents the Commission from meeting Mr Yeats' request, which I now endorse, that the five Member States who had at least fulfilled their obligations by 30 May 1978 be named?
2. Why does the Commission content itself with the vague comment that 'three more Member States'

forwarded the relevant information between May and September 1978, rather than name dilatory Member States, and why is the Member State which had still not fulfilled its obligations in September 1978 not been identified?

3. Does the Commission agree with the questioner, that the present 'taboo' should be broken and healthy pressure exerted on Member States in similar cases in future through the naming of names?
4. Does the Commission not believe, furthermore, that not only parliamentarians but also the European public have a legitimate right to be properly informed on the state of progress in the implementation of enacted Community law, or does the Commission believe there are substantial reasons for continuing the, in my view, incomprehensible practice of bashfully withholding the transgressors' names instead of denouncing them to the European public?
5. Is the Commission now prepared to report on the current state of implementation of the Directive on the quality of bathing waters in a summary containing the names of the Member States and the dates of translation into national law?
6. If not, can it give a detailed justification for its refusal?

<sup>(1)</sup> OJ No C 238, 9. 10. 1978, p. 45.

<sup>(2)</sup> OJ No L 31, 5. 2. 1976, p. 1.

**WRITTEN QUESTION No 855/77**  
**by Mr Yeats**  
**to the Commission of the European Communities**  
*(7 December 1977)*

*Subject:* Directive 76/160/EEC concerning the quality of bathing water

1. Which Member States have brought into force the laws, regulations and administrative provisions necessary to comply with Directive 76/160/EEC <sup>(1)</sup> and informed the Commission thereof?
2. Which Member States have communicated to the Commission the texts of the main provisions of national law which they have adopted in the field covered by this Directive?
3. Which Member States have submitted reports on their bathing water and its most significant characteristics, and does the Commission intend to publish this information?
4. Have any Member States decided to fix more stringent values for bathing water than those laid down in the Directive?

<sup>(1)</sup> OJ No L 31, 5. 2. 1976, p. 1.

**WRITTEN QUESTION No 391/78**  
**by Mr Yeats**  
**to the Commission of the European Communities**  
*(29 June 1978)*

*Subject:* Directive on the quality of bathing waters

In my Written Question No 855/77 <sup>(1)</sup> of 7 December 1977, I asked the Commission which Member States have communicated the texts of the main provisions of national law which they have adopted in the field covered by Directive 76/160/EEC <sup>(2)</sup> on the quality of bathing water. On 30 May 1978, the Commission finally admitted that so far only five Member States have complied with the terms of the Directive in providing the information laid down in Article 12 of the Directive.

Will the Commission please now state:

1. the precise date on which each of the five Member States sent the information to the Commission;
2. what steps the Commission is taking to ensure that the remaining four Member States comply without delay with the provisions of Article 12 of the Directive?

<sup>(1)</sup> OJ No C 72, 22. 3. 1978, p. 20.

<sup>(2)</sup> OJ No L 31, 5. 2. 1976, p. 1.

**Answer to Written Question No 834/78 and supplementary answer  
to Written Questions No 855/77 <sup>(1)</sup> and No 391/78 <sup>(2)</sup>**  
*(10 April 1979)*

1 to 4. The Commission is quite prepared to name in future those Member States which have forwarded

information concerning steps taken to transpose Community Directives into domestic law.

<sup>(1)</sup> A first answer was already given on 22 February 1978 (OJ No C 72, 22. 3. 1978, p. 20).

<sup>(2)</sup> A first answer was already given on 14 September 1978 (OJ No C 238, 9. 10. 1978, p. 45).

But it would add that the lack of any notification of steps taken to transpose the Directive in question within the allotted time does not necessarily mean that the Member

State(s) concerned is (are) not applying the substance of the Directive. Nor for that matter does notification by itself mean that the provisions of the Directive have been correctly transposed into domestic law.

5. With regard to directive 76/160/EEC, Denmark, the Federal Republic of Germany, France, Ireland, Luxembourg and the United Kingdom have forwarded the information required under Article 12 of the Directive.

The Commission is now studying this information and checking the national measures for conformity with the requirements of the Directive.

The Commission has not yet received any information from Belgium, Italy and the Netherlands concerning the steps required under Article 12 to transpose the Directive into domestic law.

The Commission has been in touch with those three Member States in order to investigate the reasons for the delay.

#### WRITTEN QUESTION No 876/78

by Mr Normanton

to the Commission of the European Communities

(7 December 1978)

*Subject:* Pension rights and mobility of labour in the European Community

Would the Commission list the Regulations and Directives concerning the preservation and transferability of pension rights of workers in the European Community?

Is the Commission satisfied that existing legislation on the preservation and transferability of pension rights from one employer to another within the Community is sufficient in order to facilitate free movement of labour?

#### Answer

(12 April 1979)

1. The Commission would remind the Honourable Member that in a Community context social security is governed by Council Regulation (EEC) No 1408/71 <sup>(1)</sup> which concerns the application of social security schemes to employed persons and their families moving within the Community. This Regulation which has been

frequently amended <sup>(2)</sup> is currently the subject of a further amendment which is designed to extend its field of operation to the self- and non-employed.

<sup>(2)</sup> These Regulations have been amended by the following instruments:

- (a) Act of Accession Annex 1, IX (OJ Special Edition, 27. 3. 1972, p. 100);
- (b) Regulation (EEC) No 2864/72 (OJ Special Edition, December 1972, p. 15);
- (c) Council Decision (OJ No L 2, 1. 1. 1973, p. 22);
- (d) Regulation (EEC) No 878/73 (OJ No L 86, 31. 3. 1973, p. 1) and corrigendum (OJ L 204, 25. 7. 1973, p. 38);
- (e) Regulation (EEC) No 1392/74 (OJ No L 152, 8. 6. 1974, p. 1);
- (f) Regulation (EEC) No 2639/74 (OJ No L 283, 19. 10. 1974, p. 1);
- (g) Regulation (EEC) No 1209/76 (OJ No L 138, 26. 5. 1976, p. 1);
- (h) Regulation (EEC) No 2595/77 (OJ No L 302, 26. 11. 1977, p. 1).

<sup>(1)</sup> OJ Special Edition 1971 (II), p. 416. Regulation (EEC) No 1408/71 must be read together with Council Regulation (EEC) No 574/72 (OJ Special Edition 1972 (I), p. 159 and corrigenda OJ No L 214, 2. 8. 1973, p. 30, OJ No L 148, 5. 6. 1974, p. 35 and OJ No L 202, 24. 7. 1974, p. 54).

The Regulation applies to all legislation concerning, *inter alia*, old-age benefits and Member States are required to specify their legislation and schemes relating to such benefits. The United Kingdom for example has indicated that the legislation envisaged for its old-age benefit is the Social Security Act 1975 <sup>(1)</sup>. The Regulation does not therefore apply for example to United Kingdom private occupational pension schemes.

As regards those pensions to which Regulation (EEC) No 1408/71 does apply and in particular their preservation, the Regulation makes provision for the aggregation of periods of insurance or residence completed in one Member State for the purpose of acquiring, retaining or recovering the right to a pension in another Member State. The Regulation also establishes a procedure for

assessing that amount of pension which is payable by each Member State when the migrant worker has been insured in several Member States; again, where a pension is due from a Member State provision is made for its export to any other Member State together with any subsequent increases which become payable because of uprating.

2. Council Regulation (EEC) No 1408/71 does not provide for transferability of pension rights between employers. Having regard to the number and difference in nature of occupational schemes which exist at the national levels and which in most Member States are not coordinated, a coordination at Community level will certainly be difficult to realize. Nevertheless, the Advisory Committee on Social Security for Migrant Workers is due to examine the problems connected with coordination of occupational schemes at its next meeting on 26 April 1979.

<sup>(1)</sup> OJ No C 245, 25. 10. 1975, p. 1.

#### WRITTEN QUESTION No 889/78

by Mr Herbert

to the Commission of the European Communities

(13 December 1978)

*Subject:* EEC food imports

In view of Commissioner Gundelach's statement on 21 September 1978 at the Agricultural Forum in London that the EEC was the biggest importer of food and agricultural products in the world, can the Commission state what products are responsible for this excessive import bill and how can each of the Member States help to reduce this dependence on imports from third countries?

#### Answer

(11 April 1979)

1. The table below (taken from the 1978 report on the agricultural situation in the Community, Table 35) <sup>(1)</sup> gives a breakdown of Community agricultural imports by value for 1976 and 1977. It also gives annual and longer-term growth rates.

2. The Commission does not feel that it would be either possible or desirable to argue that all agricultural imports should be replaced by internal production. There are basic considerations of general economics and of trade policy which militate against this.

<sup>(1)</sup> The Agricultural Situation in the Community, 1978 Report (published in conjunction with the Twelfth General Report on the Activities of the European Communities), Brussels and Luxembourg, January 1979.

The Commission is aware, however, of the Community's dependence on imports for the supply of some agricultural produce (e. g. protein products for animal feed) and has put forward the arguments for not encouraging such a tendency.

## EEC trade by product

	Million EUA		% VAT		
	1976	1977	1977/1973	1976/1975	1977/1976
1	2	3	4	5	6
EEC imports					
Food products	19 348	22 352	13.5	24.2	15.5
of which: – cereals	3 924	2 931	6.8	8.4	-25.3
– fruit and vegetables	4 846	5 336	12.5	23.5	10.1
– beef and veal	236	246	-0.2	-2.6	4.2
Beverages and tobacco	1 425	1 481	6.7	11.5	3.9
Skins and furs	1 165	1 186	7.1	64.1	1.8
Oilseeds	2 480	3 032	15.2	11.3	22.3
Natural rubber	524	581	12.0	53.7	10.3
Timber and cork	3 823	4 102	6.6	58.9	7.3
Natural textile fibres	2 453	2 344	2.5	53.0	-4.4
Agricultural raw materials	740	852	14.3	26.9	15.1
Oil and fats	1 101	1 514	11.9	-2.6	37.5
Starches, gluten	10	9	-	0	-10.0
Total	33 071	37 453	11.3	27.8	13.2

Source: Eurostat-SITC.

## WRITTEN QUESTION No 958/78

by Mr Dondelinger

to the Commission of the European Communities

(11 January 1979)

*Subject:* Homeopathy and phytotherapy, the 'poor relations' of modern medicine

Many sick people who are worried by the danger – inherent in the consumption of chemically based medicines – of addiction and side-effects, are increasingly abandoning current therapeutic methods (allopathy) in favour of homeopathy and phytotherapy.

The Commission is no doubt aware that these forms of treatment, though increasingly recognized by a large proportion of the population as valid therapeutic methods are still subject to discrimination, for reasons which are difficult to understand.

1. Is the Commission aware that in most Member States the cost of homeopathic and phytotherapeutic medicines prescribed by a doctor is not refundable by the sickness insurance funds?
2. Does the Commission know that numerous medical faculties refuse to provide the training needed to practice as a homeopathic or phytotherapeutic doctor (a profession which has so far been banned by the national authorities with the blessing of the professional bodies and chemical companies)?
3. Would the Commission be prepared to make measures at Community level to remedy this situation, which is intolerable for a sector of vital

- importance to our quality of life and incompatible with the ecological ideals of the general public?
4. If not, why not?
5. Does the Commission intend to carry out studies to assess the economic implications which the use of these therapeutic methods might have for the production-consumption system applicable to normal pharmaceutical products?

**Answer**

(10 April 1979)

1. Yes.

2, 3 and 4. Under Article 57 (1) of the EEC Treaty is the Commission's task to propose to the Council the necessary measures to ensure freedom of movement for the professions and to include in those proposals provisions for the mutual recognition of diplomas and the coordination of conditions of training and practice whenever this is necessary to ensure freedom of movement.

However, in view of the priority tasks the Commission has set itself regarding the order professions, it does not intend in the foreseeable future to draft any proposals for the creation of, in addition to the medical specialisms already recognized, new medical specialisms which do not as yet exist as such in the Member States.

5. No.

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**WRITTEN QUESTION No 978/78**

**by Mr Porcu**

**to the Commission of the European Communities**

(17 January 1979)

*Subject:* Equal access to employment for national and migrant workers

The absence of any rules on the mutual recognition of diplomas and other professional qualifications obtained in the other Member States restricts the access of migrant workers to skilled jobs in France.

Does the Commission intend to take steps to remedy this deficiency and make good this injustice?

**Answer**

(10 April 1979)

The Commission is conscious of the problems raised by the Honourable Member. In order to solve these problems and increase the transparency of occupational

qualifications at Community level in general with a view to promoting improvements in the national training systems of the Member States, it was decided that one of

the aims of the common vocational training policy should be 'to enable levels of training to be harmonized progressively' with a view to 'the mutual recognition of certificates and other documents confirming completion of vocational training' <sup>(1)</sup>.

The Commission has, however, encountered numerous problems in pursuing this goal, largely because of the substantial differences between training structures and systems in the Member States.

In addition to certain concrete results already achieved some time ago <sup>(2)</sup>, the Commission's work in this field has more recently led to the formulation of a Community classification of training levels comprising five clearly identified and defined levels. Work is continuing with specialist assistance from the European Centre for the Development of Vocational Training. The immediate goal is to try out a more rapid method for the approximation of training levels by applying it experimentally to the occupational groups 'electrical fitter' and 'electrician'. A further objective is to identify common elements in the training for these occupational

groups with a view to making proposals for the mutual recognition of diplomas, certificates and other documents confirming completion of the various levels of training.

Subsequent activities in this field will be determined largely by the results of a survey of the potential demand in the various sectors of employment, particularly those where greater transparency would be desirable with respect to typical qualifications or those potentially useful in the context of free movement within the Community.

In conclusion, the Commission would draw the Honourable Member's attention to the substantial amount of work either under way or already completed with a view to facilitating the effective exercise of the right of establishment and freedom to provide services. The Directives adopted by the Council in this connection to implement the provisions of the EEC Treaty regarding mutual recognition of diplomas, certificates and other evidence of formal qualifications generally stipulate that the provisions regarding mutual recognition shall apply not only to self-employed persons but also to employees <sup>(3)</sup>.

<sup>(1)</sup> Council Decision 63/266/EEC of 2 April 1963 (OJ No 63, 20. 4. 1963).

<sup>(2)</sup> cf. Recommandation du Conseil du 29 septembre 1970 adressée aux États membres au sujet de l'utilisation de la monographie professionnelle européenne pour la formation d'ouvriers qualifiés sur machines-outils (Council recommendation on the use of the European job profile for the training of skilled machine-tool operators) JO No L 219 du 5. 10. 1970, p. 1.

<sup>(3)</sup> cf. Council Directive 77/452/EEC of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ No L 176, 15. 7. 1977, p. 1).

#### WRITTEN QUESTION No 986/78

by Mr Porcu

to the Commission of the European Communities

(17 January 1979)

*Subject:* Opportunity for migrant workers to exercise their voting rights fully

Where migrant workers are obliged to return to their home country to exercise their right to vote, they are hindered by the fact that there is no bilateral agreement, no national or Community convention which lays down their right to special leave and the maintenance of acquired rights on their return.

Does the Commission not think that this discrepancy should be eliminated at the earliest opportunity?

**Answer***(10 April 1979)*

The Commission is aware of the fact that, at present, some Community nationals have to travel in order to exercise the right to vote at local and national elections in their country of origin, and that this raises the question of the granting of special leave.

In the light of Article 7 of Regulation (EEC) No 1612/68 <sup>(1)</sup> and the decisions of the Court of Justice of the European Communities, in particular the judgment of 15 October 1969 (*Württembergische Milchverwertung v. Ugliola*, Case 15-69) <sup>(2)</sup>, the Commission is of the opinion that special leave without loss of acquired advantages should be granted to migrant workers from Community countries wishing to carry out their civic duties in their country of origin in so far as nationals of the country of employment enjoy a similar right under corresponding circumstances.

As things stand at present the position of migrant workers from non-member countries in this respect is subject solely to bilateral agreements made directly between the countries concerned.

<sup>(1)</sup> OJ No L 257, 19. 10. 1968.

<sup>(2)</sup> [1969] ECR 363.

**WRITTEN QUESTION No 994/78****by Mr Leonardi****to the Commission of the European Communities***(17 January 1979)*

*Subject:* Iron and steel industry

Can the Commission outline the problems facing the iron and steel industry in the USA, Japan and the EEC and the ways in which they are being tackled in these areas (reductions in labour force, reductions in production capacity, support measures, protectionist measures, etc.)?

**Answer***(10 April 1979)*

The information requested by the Honourable Member in respect of the USA, Japan and the EEC is given below.

**USA:**

No major problem of overcapacity exists in the US industry since even in the foreseeable future the US will remain a large net importer of steel.

The US steel industry has been and is currently undergoing a major rationalization.

The capacity of the integrated plants has been in gradual decline for a number of years and no major increase in overall capacity of such plants is expected in the 1980s. This reduction has been primarily achieved through the closure of open-hearth furnaces. Although the integrated plants have been undergoing modernization in recent years the rate of innovation has been somewhat slower than in other major producing countries, e.g. open-hearth process still accounts for *c.* 15% of the steel production in the US as opposed to 8% in the EEC and none in Japan.

By contrast there has been in recent years a rapid growth in capacity of scrap and sponge-iron based mini-mills such that their share of total US production has doubled to approximately 25 % of the total in the last decade.

Employment in the US steel industry has remained virtually constant since 1975 and thus with the considerable growth in output (c. 20 million tonnes) labour productivity has increased significantly. Indeed it is anticipated that 1979 output will almost reach 1974 levels with a labour force reduced by some 60 000 workers.

All of these programmes are based on private initiative and finance. They have during the Carter administration been aided by changes in the corporate tax laws and the steel loan guarantee programme instituted by the administration at the end of 1977. The steel lobby continues to seek a reduction of depreciation periods for steel plant and equipment.

While it is true that the various steel lobbies are extremely active on behalf of the industry in demanding further protection of the domestic industry the actual result of these activities in view of the 1978 import volume could not hardly be described as protectionist.

Japan:

The Japanese steel industry is currently operating at c. 70 % of its rated capacity, i.e. there is approximately 40 million tonnes of excess capacity. Despite the fact that no significant increase in output is expected over the next five years there are no serious plans for a major capacity reduction since it appears that at current operating rates/price levels the Japanese industry can operate profitably such a level of activity.

However the Japanese have extensive programmes designed to maintain and reinforce the competitiveness of their industry.

These programmes consist three elements:

— the concentration both in the industry in total and within companies of production in most modern works with the rundown of the less efficient works. Typical of such efforts is the government sponsored programme due to end in March 1979 for the closure of 3.0 million tonnes of excess electric furnace capacity. Another example is the closure programme of Nippon Steel through to 1981, these closures being primarily designed to facilitate the introduction of the new works at Topata,

- various technological programmes designed to reduce costs, e.g. reductions in energy consumption,
- reductions in manpower to a large extent through a stop in recruitment and natural wastage.

Community:

Since the start of the steel crisis, the industry has been operating at about 65 % of capacity. The decline in output and collapse in prices have reached such a pitch that the company finances are seriously jeopardized. This situation has also directly affected employment which from the beginning of 1975 to the end of 1978 fell by 13.4 %, involving the loss of 104 000 jobs.

As far as future prospects are concerned, the general objectives for steel 1985 to 1990, based on a detailed analysis of steel demand inside and outside the Community and the increase in supply, indicate over-capacity for crude steel and most rolled products, as a result of which the current imbalance on the steel market is likely to continue for a long time to come.

Against this background, the Community plan for the steel industry centres on two major themes depending on the aim pursued:

- (a) A short-term plan designed to halt the massive outflow of funds from the steel companies so as to allow restructuring, an essential condition if as many jobs as possible are to be saved in the long term.

Measures relating to the Community's internal market include: the freezing of production capacities, voluntary undertakings to limit sales of steel products on the Community market and the introduction of minimum prices for some products and guidance prices for others. External short-term measures are designed to prevent the internal measures from being jeopardized by low-priced imports and involve arrangements with non-member countries and possibly rapid anti-dumping action.

- (b) A medium-term to stabilize and modernize production capacity in the Community while seeing to the redevelopment of the steelmaking regions and the redeployment of workers.

Here the Commission intends to rely on the following measures:

- control of aid, which will be authorized only if it promotes restructuring and redevelopment, having due regard to social implications and the effect on jobs,

- a policy of loans to facilitate modernization and encourage restructuring projects,
  - assistance for research, especially projects designed to increase productivity in the steel industry,
  - a programme of aid for the redeployment of workers affected by restructuring,
  - a programme of aid to create new jobs in the steelmaking regions.
- Concurrently with the restructuring of the steel industry, the Community is negotiating within OECD to secure a fair distribution of sacrifices amongst the world's steel producers.

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**WRITTEN QUESTION No 1006/78**

by Mr Prescott

to the Commission of the European Communities

(26 January 1979)

*Subject:* Civil law in the Community

According to the law as it stands, a British vendor cannot enforce his reservation of ownership in the event of the bankruptcy of a Belgian purchaser to whom he has supplied goods.

I should like ask the Commission:

1. What progress has been made towards the mutual recognition and execution of Court judgments in civil cases by the national courts in the Member States of the European Community and, where appropriate, their incorporation into national law?
2. What measures will the Commission take in the sphere of the approximation of the principles and specific problems of the law of obligations and the law of property?

**Answer**

(12 April 1979)

The judgments Convention of 27 September 1968 is in operation between the six original Member States of the EC. A Convention which provides for the accession of Denmark, Ireland and the United Kingdom to the judgments Convention was signed by the nine Member States on 9 October 1978 but has not yet been ratified.

The judgments Convention does not apply to bankruptcy, winding-up judicial arrangements, compositions and analogous proceedings. Accordingly, the rights which an English seller can enforce in the event of the insolvency of a Belgian purchaser of goods supplied subject to reservation of title would not be governed by that Convention even if it were already operating in relation to the United Kingdom.

At the present time the English seller's rights in the goods would fall to be determined according to Belgian

national law, which does not permit a reservation of title by the seller of goods to have effect so as to enable the seller to recover them in the insolvency of the buyer.

There is in preparation under Article 220 of the EEC Treaty a draft Convention which is intended to regulate certain aspects of insolvency within the EC ('the draft bankruptcy convention'). This work is supplementary to the judgments Convention and was undertaken separately from it because of the highly complex nature of insolvency law and practice. The text of the draft has not yet been finalized.

The Commission has in preparation a draft proposal for a Directive on certain aspects of security interests in movable property, including reservation of title by the seller of goods.

## WRITTEN QUESTION No 1008/78

by Mrs Walz

to the Commission of the European Communities

(26 January 1979)

*Subject:* Community patents

1. What institutions regulate the acquisition of patents in the Community countries, how high are their fees, for how long do patent rights exist, and what happens in the event of these rights being infringed?
2. What is the Commission's view of institutions modelled on the Swedish patent offices and also on the proposal that patent fees be reduced to a minimum in order to exploit to the full the research potential of independent researchers and inventors?

## Answer

(11 April 1979)

1. Applications for European patents may be filed at the European Patent Office in Munich, its branch in The Hague or the national offices of the States signatory to the European Patent Convention. European patents are valid for 20 years. Pending the entry into force of the Luxembourg Convention on the Community Patent, infringements of European patents are governed by national law. The fees charged for acquisition of a European patent (for filing, effecting a search, examination and grant) amount to about 1 595 units of account.

2. The Commission is aware of the efforts being made in Sweden and elsewhere to help independent researchers and inventors. It is, moreover, currently carrying out comparative studies of the measures being taken in Member States to stimulate technological innovation. These studies are intended to promote the exchange of information and to determine whether action is needed at the Community level. They have shown that, in several Member States, steps have been taken not only to reduce patent fees and costs but also to provide researchers and inventors with technical and financial assistance to enable them to obtain the best return from their inventions. According to the persons concerned, these

steps are still too fragmentary and the benefits unevenly distributed. The Commission will therefore continue its efforts to improve cooperation between the national bodies which, in various ways, assist independent researchers and inventors and to draw up proposals aimed at solving their problems on a Community-wide scale.

As far as the reduction of acquisition fees is concerned, the Commission would point out that one of the advantages of the new system of granting European patents is that it costs inventors who wish to protect their rights in several European countries less than it would acquire national patents. The fact that in 1978 15% of applications for European patents were filed by independent inventors and 36% by small and medium-sized firms shows that this financial advantage is turned to account. A reduction in the fees in force would pose a problem because, under the European Patent Convention itself, the amount of the fees must be fixed at such a level as to ensure that the revenue obtained from them is sufficient for the budget of the European Patent Office to be balanced. At all events the Contracting States are free to take special measures to assist inventors whose financial resources are limited.

**WRITTEN QUESTION No 1039/78**  
**by Mr Corrie**  
**to the Commission of the European Communities**  
(2 February 1979)

*Subject:* EEC Treaty and restitution payments to distillers

When EEC maltsters and EEC brewers export to third countries they receive a restitution payment. However, if a malt distiller buys malt, converts it into whisky and exports that whisky to third countries no such payment is forthcoming.

Would the Commission not agree that this non-payment of restitutions to malt distillers is discriminatory and contravenes the EEC Treaty?

**Answer**  
(12 April 1979)

Refunds for malt used in the manufacture of whisky exported to non-member countries would have the same effects as refunds for cereals used for the same purpose.

The granting of refunds is one of the measures referred to in Protocol 19 to the Act of Accession on spirituous beverages obtained from cereals <sup>(1)</sup>. The Council supplemented this by agreeing that the granting of export refunds for spirituous beverages obtained from cereals should form part of a general Community policy on alcohol <sup>(2)</sup>.

<sup>(1)</sup> OJ No L 73, 27. 3. 1972, p. 174.

<sup>(2)</sup> OJ No C 141, 31. 12. 1972, p. 1.

**WRITTEN QUESTION No 1048/78**  
**by Mr Geurtsen**  
**to the Commission of the European Communities**  
(7 February 1979)

*Subject:* Restructuring of the iron and steel industry

Can the Commission indicate whether the Belgian Government, before deciding on massive financial aid for the Belgian steel industry, consulted the Commission and whether the latter gave its approval to measures which distort competition?

**Answer**  
(12 April 1979)

On 8 December 1978 the Belgian Government notified the Commission of the main points of a scheme to restructure the Belgian steel industry, and of its intention to contribute towards

the financing of this scheme by various means such as loans from the SNCI and other financial institutions, the acquisition of shareholdings in the firms concerned and certain other aid measures financed from the central government budget.

The Commission does not doubt that the Belgian Government will, in due course and before putting these measures into effect, supply the necessary information for the assessment of these measures.

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**WRITTEN QUESTION No 1052/78**  
**by Mr Kavanagh**  
**to the Commission of the European Communities**  
*(7 February 1979)*

*Subject:* Inclusion of areas in list of regions eligible to be designated under the disadvantaged areas scheme

1. Is the Commission aware that the Meath County Committee of Agriculture has made a submission to the Irish Department of Agriculture concerning the inclusion of North Meath in the list of areas in Ireland to be designated under the disadvantaged areas scheme?
2. Does the Commission normally have an opportunity to examine all submissions of this nature made to national authorities, whether accepted by them or not?
3. Will the Commission ensure that the submission of the Meath County Committee of Agriculture is examined thoroughly?

**Answer**  
*(10 April 1979)*

1. The Commission is not aware that the Meath County Committee of Agriculture has asked the Irish Minister of Agriculture to include part of the county in the list of less-favoured areas.
2. Normally, the Commission is not informed by Member States of requests for any such extensions to the list of less-favoured areas, unless the Member State concerned requests the Commission, in turn, to sanction such an extension in accordance with the provisions of Article 3 (3) and (4) of Directive 75/268/EEC <sup>(1)</sup> on mountain and hill farming and farming in certain other less-favoured areas.
3. Failing a formal request from the Irish Government to sanction the inclusion of part of County Meath in the list of less-favoured areas, the Commission cannot exercise any function in this matter. However, if the Commission is so requested it must check the relevant data to see if the request conforms with the existing conditions as specified in Directive 75/268 Article 3 (4), for acceptance of part of County Meath as a less-favoured area.

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<sup>(1)</sup> OJ No L 128, 19. 5. 1975, p. 1.

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**WRITTEN QUESTION No 1056/78****by Mr Hoffmann****to the Commission of the European Communities***(9 February 1979)*

*Subject:* ECSC financial aid for conversion

Statistics published by the European Communities reveal that since the beginning of the steel crisis some of the severely affected regions such as Saarland, have applied for little or no ECSC financial aid for conversion purposes.

Can the Commission give reasons for this and has it already drawn its own conclusions?

**Answer***(12 April 1979)*

During 1977 the ECSC granted 22·41 million EUA in loans for industrial conversion in Saarland, while interest relief grants amounted to 3·36 million European units of account.

During 1978, however, no ECSC loans were granted for conversion in Saarland. The reason is that in the Saarland, a region covered by the Investment Subsidies Act (the Investitionszulagegesetz), which sets ceilings for national aid, the German authorities take the view that the grant equivalent of the financing facilities provided under Article 56 (2) (a) ECSC has to be deducted from national aid provided under the Investments Subsidies Act.

The Commission has asked the German authorities to follow a more flexible interpretation of the Act in order to allow it to play its part in efforts to reabsorb the workers made redundant by the restructuring of the steel industry in the Federal Republic of Germany, as it does in the other Member States.

The Commission will at all events seek to ensure that combination of national and Community aid will not cause distortion of competition.

**WRITTEN QUESTION No 1063/78****by Mr Seefeld****to the Commission of the European Communities***(14 February 1979)*

*Subject:* Special tests for tank-truck drivers

1. Was the Commission notified under the consultation procedure that from mid-1979 an amended form of the Regulation on the carriage of dangerous goods by road is to enter into force under which tank-truck drivers are required to take special tests

organized by chambers of commerce and industry and produce evidence of at least two years' experience as a lorry driver?

2. Does the Commission agree that this measure will substantially contribute to greater road safety?

3. Will it use its best endeavours to see that this measure is applied to international traffic as well through its incorporation in the international agreement on the carriage of dangerous goods by road?
4. Will it seek to ensure that Denmark and Ireland accede to this agreement?

5. Will it submit proposals for the amendment of the Council Directive of 16 December 1976 on the minimum level of training for some road transport drivers <sup>(1)</sup> so that a special test for tank-truck drivers can be introduced?

<sup>(1)</sup> OJ No L 357, 29. 12. 1976, p. 36.

**Answer**

(12 April 1979)

1. No.
2. Not being in possession of the texts, the Commission cannot comment. Nevertheless, it stresses its interest in any measures contributing to road safety, particularly a Community driving licence, the progressive extension of which would make it possible to modify the conditions subject to which heavy vehicle driving licences are issued to take account of the special features of some of these vehicles.
3. In the absence of the necessary information on the measure, the Commission cannot tell whether it would be desirable to include a similar provision in the ADR;

this step could be taken only upon the initiative of one or more of the seven States that are Contracting Parties to the Agreement.

4. The Commission has indicated to Denmark and Ireland that it would like them to accede to the Agreement.

5. The Commission is of the opinion that, should the Council approve the draft first Directive on the introduction of a Community driving licence, the possibility and manner of creating a special category of driving licence for commercial vehicles used to carry dangerous goods could be examined.

**WRITTEN QUESTION No 1073/78**

by Mr van Aerssen

to the Commission of the European Communities

(21 February 1979)

*Subject:* Connecting Euronet to other information networks

Does the Commission agree that the extension and connection of Euronet to countries closely linked to the Community, especially the countries of the Lomé Convention, is desirable, and if so, what steps has it taken to reach agreement on the basis of comparable terms?

**Answer**

(12 April 1979)

The Commission has made an initial study of the requirements for and feasibility of providing access to the Euronet/Diane system for the Lomé Convention countries. It is of the opinion that a number of the ACP States could benefit and that access is technically and economically feasible.

The Commission, which has already been instructed by the Council to negotiate the extension of Euronet to the member countries of the European Conference of Postal and Telecommunications Administrations (CEPT), intends to propose an outline clause for the purpose of negotiating and facilitating access to European-based sources of information of a bibliographic and other nature when such access and the use of these sources could be helpful to the ACP States or to the regional organizations of those States.

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**WRITTEN QUESTION No 1079/78**

**by Mr Müller-Hermann**

**to the Commission of the European Communities**

*(21 February 1979)*

*Subject:* Attitude of the Government of the Federal Republic of Germany to contraventions by third countries of the Commission's price measures for the Community steel market, with particular reference to pig-iron

1. Can the Commission confirm that while the Federal Government does notify it of instances in which the basic prices fixed by the Commission for pig-iron are undercut, it has never requested the imposition of temporary anti-dumping tariffs?
2. Does the Commission agree that as a result of this practice, the prospect of pig-iron supplies from third countries being concentrated on the Federal Republic of Germany cannot be ruled out?

**Answer**

*(10 April 1979)*

The Commission can confirm that the Federal Government informs it about the pricing of imports under the basic price system for certain steel products and adopts a stance on the question of possible defensive measures. However, in view of the confidential nature of this information, it is not in a position to give details as to its content. It would point out nonetheless that a Community anti-dumping duty was imposed on haematite pig iron from Brazil on 16 February and that formal anti-dumping proceedings were initiated against Canada on 20 February.

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**WRITTEN QUESTION No 1084/78**

**by Mr Krieg**

**to the Commission of the European Communities**

*(21 February 1979)*

*Subject:* Interests of the French overseas departments in the context of the Generalized System of Preferences

In its negotiations on the 1979 GSP, did the Commission take account of the legitimate interests of the French overseas departments as regards aubergines, limes, avocados and anthuriums by providing for reciprocal concessions?

Can the Commission say whether key market-garden produce from the EEC countries is eligible for generalized preferences in 1979, as is the produce from the French overseas departments?

**Answer**

(10 April 1979)

The system of generalized tariff preferences operated by the European Economic Community, as indeed the GSP's of all other donor countries among the industrialized countries, is autonomous, non-contractual and non-reciprocal. There were, therefore, no negotiations between the Commission and any of the beneficiaries during the process of preparing the 1979 GSP scheme nor furthermore were any reciprocal concessions asked from beneficiary countries by the Commission. The interests of overseas departments as an integral part of a Member State are always fully taken into account by the Commission in preparing its proposals and by the Member States when these proposals are discussed with them.

As far as the four agricultural products referred to in the question as being of interest to French overseas departments are concerned, the Commission would refer the Honourable Member to the reply given to Written Question No 1004/78 tabled by Mr Rivierez. It may also be noted that all the four products in question had

already been included in the Community's GSP in 1978 and that there has been no change in their situation in 1979 <sup>(1)</sup>.

In regard to market garden products (productions maraîchères) no new items were brought into the Community's 1979 GSP scheme. A very limited number of products under the residual subheading 07.01 T of the Common External Tariff were brought into the GSP in the previous two years. These consist entirely of items which are specialities of the Indian sub-continent e.g. okra, – which is now admitted duty-free, or items eligible for GSP benefit only during those months when they cannot be grown in European climates, – admitted at a GSP rate of 8% – e.g. pumpkins and courgettes between 1 December and end of February, aubergines, chervil, cresses between 1 January and 31 March, thus taking fully into account the interests of the Community's own market gardeners.

<sup>(1)</sup> OJ No C 68, 12. 3. 1979, p. 30.

**WRITTEN QUESTION No 1086/78**

by Mr Osborn

to the Commission of the European Communities

(23 February 1979)

*Subject:* Public expenditure

Further to the Commission's reply to my Written Question No 524/75 <sup>(1)</sup>, will the Commission now give comparable figures for expenditure by all public administrations and by governments in each of the Member States from 1975 to the latest available year?

<sup>(1)</sup> OJ No C 19, 28. 1. 1976, p. 29.

**Answer**

(11 April 1979)

The Honourable Member will find in the table below figures for expenditure by general government and by central government <sup>(1)</sup> in the Member States of the Community in 1975, 1976 and 1977.

<sup>(1)</sup> As defined in the national accounts (ESA).

These figures relate to expenditure by public administrations and not to expenditure by the public sector, which also includes public enterprises and for which no homogeneous statistics are available at Community level.

(in '000 million EUA)

	Year	A	B	C	D	E	F
		General government	Central government	B as % of A	Gross domestic product	A as % of D	B as % of D
Denmark	1975	13.4	.	.	30.3	44.8	.
	1976	16.3	.	.	36.8	44.4	.
	1977	(18.0)	.	.	40.3	44.7	.
Federal Republic of Germany	1975	159.4	91.2	59.1	338.4	47.1	27.8
	1976	184.6	108.1	58.6	399.8	46.2	27.0
	1977	209.0	121.0	57.9	452.6	46.2	26.7
France	1975	120.7	66.1	54.8	272.8	44.2	24.2
	1976	139.2	74.4	53.5	312.3	44.6	23.8
	1977	150.2	79.9	53.2	333.6	45.0	23.9
Ireland	1975	3.2	2.5	78.6	6.5	49.5	38.9
	1976	3.6	2.8	78.8	7.2	49.5	39.0
	1977	.	.	.	(8.5)	.	.
Italy	1975	69.9	41.3	59.0	142.1	49.2	29.0
	1976	72.0	43.7	60.7	154.7	46.5	28.3
	1977	82.4	51.7	62.7	171.8	48.0	30.1
Netherlands	1975	36.6	19.0	52.0	66.9	54.7	28.5
	1976	44.3	24.3	54.8	80.5	55.0	30.1
	1977	51.9	28.2	54.5	93.2	55.6	30.3
Belgium	1975	25.3	16.9	66.7	49.7	50.9	34.0
	1976	30.8	20.6	66.7	59.5	51.8	34.6
	1977	36.3	24.6	67.6	67.9	53.5	36.2
Luxembourg	1975	0.9	0.5	55.8	1.9	49.6	27.7
	1976	(1.1)	(0.6)	54.8	2.1	53.6	29.4
	1977	(1.3)	(0.7)	54.8	2.4	57.0	31.2
United Kingdom	1975	87.3	62.5	71.5	183.3	47.6	34.1
	1976	91.9	66.5	72.3	196.7	46.7	33.8
	1977	96.6	69.7	72.2	214.3	45.1	32.6
EEC	1975	517.2	.	.	1 091.9	47.4	.
	1976	584.2	.	.	1 249.6	46.8	.
	1977	.	.	.	.	.	.

. = not available for the definitions adopted.  
The figures in brackets are provisional estimates.

#### WRITTEN QUESTION No 1088/78

by Mr Corrie

to the Commission of the European Communities

(23 February 1979)

*Subject:* Spirituous beverages and Danish excise duties

It is known that the Commission has already referred the Danish discriminatory system of excise tax on spirituous beverages to the EEC Court of Justice. Will the Commission state whether any other tax or levy exists in Denmark which discriminates against imported spirituous beverages in favour of domestically produced spirituous beverages. If such taxes/levies exist will the Commission take action to remove this discrimination?

**Answer***(10 April 1979)*

No tax or levy such as the Honourable Member envisages has come to the notice of the Commission.

The Commission keeps these matters under continuous scrutiny, and where an infringement of the Treaty's provisions can be demonstrated action is invariably taken under Article 169 of the EEC Treaty.

**WRITTEN QUESTION No 1106/78****by Mr Ansquer****to the Commission of the European Communities***(2 March 1979)*

*Subject:* Nuclear energy – Eurodif project

Iran's decision to reconsider its contribution (around 20%) to the Eurodif nuclear project may well have adverse repercussions on the capacity of the Tricastin uranium enrichment plant; it also threatens the construction of another plant by the Coredif Company (a subsidiary of Eurodif).

Does the Commission not think that the time has come to set up a joint Community nuclear programme which would guarantee for the future a certain degree of independence in the energy field which we have sadly lacked over the past few years?

**Answer***(12 April 1979)*

The Commission is unaware of Iran's decision to reconsider its participation in the Eurodif project.

It would draw attention to the fact that Eurodif is a privately owned company which is managed by its shareholders.

The Commission shares the opinion expressed by the Honourable Member that a nuclear electricity programme for the Community is one of the elements required to limit its dependence in the energy field. It recalls that among the Community's energy objectives an important place has been assigned to nuclear energy and that this role was emphasized at the European Council meetings in Bremen (July 1978) and in Paris (March 1979).

The Commission has presented to the Council numerous proposals aimed at facilitating the development of nuclear energy in Europe, notably in the fields of fuel supply, security, programme financing, and operations involved in the 'back end' of the fuel cycle (reprocessing, radioactive waste). The adoption of those proposals which are still before the Council would facilitate the realization of the Community's objectives.

**WRITTEN QUESTION No 1115/78**  
**from Mr Bangemann**  
**to the Commission of the European Communities**  
*(7 March 1979)*

*Subject:* Inconsistent interpretation of import regulations by customs officials of an EC Member State

1. Is the Commission aware of the fact that the inconsistent interpretation of import regulations by the customs officials of a Member State of the EC is proving a considerable obstacle to intra-Community trade?
2. Is the Commission prepared to take steps to ensure that goods duly declared at customs are cleared immediately and are not delayed because of patently unclear import regulations which lend themselves to a variety of interpretations by customs officials?

**Answer**  
*(10 April 1979)*

1. Since the Honourable Member gives no details of the matter to which he is referring, the Commission can merely confirm that it is aware that the lack of uniformity in customs clearance procedures may hamper intra-Community trade. This situation cannot, however, be attributed to the customs legislation alone, since when goods cross internal Community frontiers they are at the same time checked for the purposes of a great many national rules and regulations.
  2. Similarly, the Commission can only restate its determination to continue working to eliminate formalities in trade between Member States.
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