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Information and Notices

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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 1216/79

by Mr Debré

to the Council of the European Communities

(28 November 1979)

Answer

*(28 July 1981)**Subject:* Convention of Lomé 'sugar' protocol

1. What amounts of financial benefits have accrued each year to the sugar producers of the ACP states since the entry into force of the Convention of Lomé 'sugar' protocol? For each of the principal ACP sugar suppliers, what proportion of production has been exported to the EEC, and to which Member States?

2. Are the price and market guarantees for ACP sugar imported into the EEC under the Convention of Lomé's 'sugar' protocol to be viewed as a 'trade instrument' or rather as an effective contribution to the development aid policy?

3. If they are a trade instrument, what trade advantages does the EEC derive from the Protocol?

4. If they are part of an aid development policy, would it not be reasonable to enter the resultant expenditure clearly either in the annual budget of the Communities or in the Convention of Lomé's annual expenditure programme instead of including it in expenditure on the common agricultural policy, the cost of which is thus artificially inflated?

1. (a) The Council would remind the Honourable Member that, while the Protocol on Sugar annexed to the ACP-EEC Convention of Lomé establishes reciprocal rights and obligations between the Community and the sugar-exporting ACP States, relations between those countries and their producers are purely a matter for each of the States concerned.

The Council does not therefore have any information as to the financial advantages which the sugar-producing ACP States may derive from application of the Protocol. In practice, selling prices for ACP sugar are fixed in contracts between the ACP sellers and private buyers in the Community without the Community playing any part in these transactions. The Protocol on Sugar confines itself to providing for negotiations merely on the guaranteed prices at which the Community's intervention agencies are obliged to buy ACP sugar, within the limits laid down by the Convention, in the event of the ACP States being unable to sell their preferential sugar at a price which is at least equal to the guaranteed price. Such a situation has not in fact hitherto arisen.

- (b) The proportion of the production of the main ACP sugar exporters which has been sold in the Community can be seen from the following table:

Raw sugar

Country	1979			Total 1975 to 1979		
	Production (tonnes)	Exports to EEC		Production (tonnes)	Exports to EEC	
		Tonnes	%		Tonnes	%
Barbados	117 110	50 214	43	549 184	264 783	48
Fiji	455 701	196 482	43	1 772 439	900 595	51
Guyana	316 414	159 836	51	1 565 081	824 526	53
Jamaica	291 025	86 692	30	1 628 128	627 582	39
Mauritius	728 908	499 775	69	3 365 801	2 366 949	70
Swaziland	257 954	122 165	47	1 203 331	605 431	50
Trinidad and Tobago	143 521	71 394	50	837 712	366 759	44

(c) The following table sets out the total quantities of preferential sugar (including that from the OCT and India) imported by the Member States during the period 1976/77 to 1978/79.

(tonnes) white value

	1976 - 1977 ⁽¹⁾	1977 - 1978 ⁽¹⁾	1978 - 1979 ⁽¹⁾	1979 - 1980 ⁽¹⁾
Germany	—	5 000	1 000	1 000
France	24 000	23 000	42 000	51 000
Ireland	42 000	21 000	20 000	31 000
Italy	5 000	10 000	—	—
Netherlands	1 000	6 000	2 000	2 000
United Kingdom	1 345 000	1 268 000	1 129 000	1 200 000
EEC	1 417 000	1 333 000	1 194 000	1 285 000

⁽¹⁾ Source: Commission of the European Communities.

2. The Council has adopted certain decisions relating to the implementation of the ACP sugar Protocol on the basis of Article 113 of the EEC Treaty. Nevertheless, the fact remains that this Protocol forms an integral part of the Lomé Convention, which is itself an instrument of the cooperation policy between the Community and the developing countries.

3. Since the Protocol constitutes an agreement involving reciprocal obligations, the advantages which the two parties derive from it depend largely on the market situation. Thus since the first year of application of the 'sugar' protocol world market prices have, compared with guaranteed prices, varied in such a way that the benefits resulting from the application of this Protocol have at times been to the advantage of the ACP States and at times to the advantage of the Community.

4. Under the revised common organization of the market in sugar, all the costs connected with the sale of a

surplus will, as from the 1981/82 marketing year, be borne by the EAGGF.

WRITTEN QUESTION No 1468/79

by Mr Debré

to the Commission of the European Communities

(9 January 1980)

Subject: Regrettable confusion over expenditure on behalf of sugar producers in the ACP countries

Is the Commission aware that a regrettable confusion exists in the EEC's budget papers between expenditure connected with Community support for the sugar market

and that derived from price and marketing guarantees shown in the sugar protocol of the Lomé Convention in favour of sugar producers in the ACP countries?

1. Is it usual for this expenditure to be incorporated into the EAGGF Guarantee Section, in such a way as to conceal the extent of the financial efforts made on behalf of ACP sugar producers, falsify the estimates of actual expenditure in support of the sugar market, and artificially swell the cost of the Common Agricultural Policy?
2. In the interest of both the ACP and the European producers, would this not be the right moment, since the sugar protocol can be amended in 1982 if two years' notice is given, for the French Government to suggest that the EEC take advantage of this option to tackle overall the problems posed by the sugar market and possibly to change the present system?

Answer

(28 July 1981)

There is no confusion in the Community's budget documents at present between expenditure on the operation of the sugar market and expenditure resulting from the Lomé Convention Sugar Protocol.

Under the Protocol the Community may indeed, in return for the ACP's undertaking to supply the quantities agreed, be required to buy up certain quantities of sugar at the guaranteed price. However, ACP sugar must first, subject to the limits set by the Protocol, be sold on the Community market at prices freely negotiated between buyers and sellers. Only if any ACP sugar cannot be sold for the guaranteed price is the Community required to buy it up, subject to the limits mentioned above. As it happens, prices so far negotiated between buyers and sellers, quantities offered and marketing arrangements have not been such that the Community itself has had to buy up any ACP sugar under these provisions. Consequently, there has not to date been any direct expenditure from the Community budget on buying up ACP sugar and hence no confusion with intervention expenditure for Community producers.

However, there has been indirect expenditure owing to the fact that the Community is self-sufficient and that ACP imports entail additional exports of EEC sugar at the world price, which is generally lower than the Community price.

The obvious implications of the Sugar Protocol adopted under the first Lomé Convention for the operation of the Community market organization must be weighed up overall, over a period of time from the point of view both of the whole European sugar economy and of Community development policy and the reciprocal advantages for each of the parties to the Convention.

It is not for the Council to make any pronouncement on whether one of its Member States ought to make any suggestions to it.

WRITTEN QUESTION No 1453/80

by Mr Van Miert

to the Council of the European Communities

(12 November 1980)

Subject: European legal area

At their meeting of 19 June 1980, the Ministers of Justice discussed a draft Convention on cooperation between the Member States of the European Community in the field of penal law.

Would the Council state:

1. What place these legal and technical discussions have within the framework of political cooperation?
2. Whether it agrees that it would be advisable to involve the Community institutions in these talks, which have a direct bearing on the fundamental rights and liberties of the citizen?
3. Why the European Commission was not invited to take part in the work even though it has been given an active part to play in the drafting of other conventions concerning legal cooperation?
4. What reasons there are for not holding the talks on the creation of a European legal area within the ambit of Community activities?

Answer
(28 July 1981)

The Council would refer the Honourable Member to the reply to Written Question No 1454/80 given by the Ministers for Foreign Affairs of the Member States of the Community meeting within the framework of European Political Cooperation ⁽¹⁾.

(1) OJ No C 49, 9. 3. 1981, p. 24.

WRITTEN QUESTION No 1744/80
by Mrs Clwyd
to the Council of the European Communities
(23 December 1980)

Subject: High energy costs for industry in the UK

In view of the high energy costs appertaining to industry in the UK and the differences in these costs throughout the Community, does the Council propose a harmonization policy in order that industries within the Community can compete effectively?

Answer
(23 July 1981)

In October of last year the Council received a communication from the Commission on energy and economic policy. One of the problems dealt with in that communication is the price structure for energy products in the various Member States.

The Council has discussed this matter on a number of occasions. At its meeting on 3 March 1981 the Council confirmed the significant role of transparent energy prices. At its meeting on 24 June 1981 the Council, after noting a Commission statement on energy prices, asked the Commission to submit to it at the earliest opportunity the communication which it had undertaken to forward, at the meeting on 3 March, concerning the prices policy to be put into effect on the basis of the energy objectives.

WRITTEN QUESTION No 1790/80
by Mr Glinne
to the Council of the European Communities

(12 January 1981)

Subject: Exploitation of deep sea mineral resources

The United Nations conferences on the Law of the Sea are hampered by the refusal of the industrialized countries to share equitably with the developing countries the deep sea mineral resources which are generally considered part of the common heritage of mankind. Various industrialized countries including Member States of the Community have, however, adopted (United Kingdom, France and Belgium) unilateral national legislation on this subject.

At the UN conferences on the Law of the Sea did the Nine speak with one voice? If so, what was their common position? If not, what position was adopted by each Member State? In the latter case, did the Council make recommendations or proposals to help achieve a common position? What were these? What is the outcome?

Answer
(28 July 1981)

The reasons for the duration of the Conference on the Law of the Sea are many and can be attributed in particular to the abundance of issues to be settled, the fact that these issues are being discussed for the first time and the many different conflicts of interest including, for instance, that between industrialized and developing countries. It is not true to suggest however that the Conference has got bogged down, since substantial progress has been made, especially in the last two years.

Since not all of the issues under discussion fall within the Community's competence and despite its best efforts the Community was unable to be admitted to this United Nations Conference as anything other than an observer, the Community and the Ten take part through the Representative of the Member State which holds the Presidency of the Council.

What is more, the Presidency attends the select working parties set up by the Conference as necessary and so takes part in their proceedings on the Community's behalf; preparation for these proceedings is made in the Community context and sometimes also in the context of European political cooperation.

With specific reference to the question of the sea bed, the Presidency has on several occasions in the past three years put common positions in accordance with the above procedure.

For information on the negotiations subsequent to 9 March, the start of the 10th meeting of the Conference, the Honourable Member is referred to the Council's reply to Oral Question No H-24/81 ⁽¹⁾.

⁽¹⁾ Debates of the European Parliament, No 1-270 (April 1981) p. 180.

WRITTEN QUESTION No 1846/80

by Lord O'Hagan

to the Council of the European Communities

(16 January 1981)

Subject: Food prices

It is often said in the United Kingdom that membership of the EEC is the main cause for rises in food prices.

1. Is this so?
2. To what extent does the membership of the EEC increase the price of food in the shops?
3. What guarantee of cheaper prices would exist on the world market?

Answer

(23 July 1981)

Although it is very difficult to assess exactly the direct effects of the common agricultural policy on food prices paid by United Kingdom consumers over the last few years, it is obvious that these effects may be considered as secondary. Other factors, in particular increases in production costs, were of greater significance. The Council is, however, unable to provide the Honourable Member with the detailed information he requested. This would require a costly in-depth study which would have to cover a wide range of factors considered over a fairly

long period. Even then the results might not be conclusive, in view of the many and frequent changes in world market prices.

WRITTEN QUESTION No 1849/80

by Mr Patterson

to the Commission of the European Parliament

(16 January 1981)

Subject: Tachographs and agricultural vehicles

Bearing in mind the financial hardship likely to result from the application of Directive No 1463/70 ⁽¹⁾ on tachographs to farmers owning dual-purpose vehicles (i.e. Land- or Range-Rovers used with a trailer), and having regard to the Commission's reply to Question No 1313/79 ⁽²⁾ in which it stated that it would 'take note of any difficulties which arise in the application of present regulations', will the Commission now consider the introduction of a derogation for vehicles in this category which, when coupled with a trailer, weigh more than 3.5 tonnes, but not more than 6 tonnes?

⁽¹⁾ OJ No L 164, 27. 7. 1970, p. 1.

⁽²⁾ OJ No C 80, 31. 3. 1980, p. 49.

**Answer given by Mr Contogeorgis
on behalf of the Commission**

(22 July 1981)

The Regulations (EEC) No 543/69 ⁽¹⁾ and (EEC) No 1463/70 ⁽²⁾ do not allow any derogations for the vehicles mentioned by the Honourable Member or for equivalent vehicles of another make, if such vehicles pull a trailer and the total all-up weight of the combination is larger than 3.5 tonnes.

The Commission is however ready to examine the difficulties arising from the implementation of the Regulations mentioned.

This examination, which has only just begun, implies consulting governments and both sides of the industry, which is, of course, a time consuming process.

⁽¹⁾ OJ No C 73, 17. 3. 1979 (codified version).

⁽²⁾ OJ No L 164, 27. 7. 1970.

It will depend upon the results of this examination whether the Commission should propose modifications of the two abovementioned Regulations.

WRITTEN QUESTION No 1953/80

by Lord Douro

to the Commission of the European Communities

(9 February 1981)

Subject: VAT on racehorses

On 13 October 1980, the President of the Commission informed me in Parliament that the Commission had requested the Irish Permanent Representative on 10 August 1980 to review the legislation in the Irish Republic concerning the zero-rating for VAT purposes of training services. Could the Commission now state what reply it has had to this inquiry, and what further steps it proposes to take?

**Answer given by Mr Tugendhat
on behalf of the Commission**

(27 July 1981)

We would refer the Honourable Member to the answer given by the Commission to his Oral Question No H 294/81 during question time at the July 1981 part-session of the European Parliament. ⁽¹⁾

⁽¹⁾ Debates of the European Parliament, 6. 7. 1981.

WRITTEN QUESTION NO 1999/80

by Mr Irmer

to the Commission of the European Communities

(9 February 1981)

Subject: Severely restricted travel opportunities in the Community for certain groups

As matters stand at present a Turkish citizen who is married to a citizen of a Community country and

possesses a residence permit for that country must obtain a visa in order to travel to other Community countries. In practice this means that a German living in Bavaria for instance who wished to travel to France – even for only one day – with his wife, who is a Turkish citizen, would have to apply for a visa some two or three months in advance. This demonstrates the need for the reciprocal recognition of residence permits held by foreigners in the Member States.

1. What measures and initiatives have been taken so far at Community level to standardize the laws governing the right of residence in the Member States and with what success? What measures are to be taken in future?
2. How does the Commission view the severe restrictions on opportunities for travel within the Community for the spouses or members of the family of Community citizens who nevertheless enjoy the right of residence in a Community Member State, and does it agree that this practice is unacceptable on human, marital and family grounds?
3. What does the Commission propose to do to bring about a viable solution to this problem as soon as possible?

**Answer given by Mr Narjes
on behalf of the Commission**

(23 July 1981)

1. Under the applicable Community law, Community citizens who work as employees or self-employed persons in a Member State other than that of which they are nationals currently have a right of residence in that Member State.

Moreover, in its proposal of July 1979 for a Directive ⁽¹⁾, which was partially amended to accord with the opinion of Parliament, the Commission proposed that Community law on the subject be expanded and that the right of residence in Member States be granted to all Community citizens irrespective of whether they carry on an economic activity.

So far, this proposal has not been adopted.

2. Member States have until now expressly reserved the right to require an entry visa for dependants who are not nationals of a Member State.

In order to lessen the effects of the resultant restriction on freedom to travel, the applicable Community law

⁽¹⁾ OJ No C 207, 17. 8. 1979, p. 14.

mentioned at 1 expressly provides that 'Member States shall afford to such persons every facility for obtaining any necessary visas'. The proposal of July 1979 for a Directive creating a general right of residence also contains the same provision. This should, as far as is possible at the present time, take account of the human, marital and family aspects referred to by the Honourable Member. Parliament raised no objection to this in its opinion of 17 April 1980 ⁽¹⁾.

3. The Commission has, however, already suggested to the Technical Committee on Free Movement of Workers that it examine the national rules governing the admission, residence and employment of workers who are not Community nationals with a view to futherling consultation on Member States' migration policies *vis-à-vis* non-member countries, the importance of which the Council stressed at its 602nd meeting on 22 November 1979.

⁽¹⁾ OJ No C 117, 12. 5. 1980, p. 47.

5. How much was contributed by the private sector?
6. In addition to the answers given to questions 1 and 5 above, what was the total level of both public and private contributions to the developing countries as a percentage of GNP?

The Netherlands also earned the DAC's praise for its policy of encouraging the self-development of the developing countries, adopting criteria which benefit the least-favoured social groups and granting specific aid to countries faced with serious balance of payments difficulties. The Netherlands has also had the original idea of proposing a new form of adaptable and long-term aid designed to combat poverty and promote the economic emancipation of beneficiary countries in the Third World.

In the light of these considerations, does the Council agree that the policies pursued in the Community should be harmonized in line with the most generous of them?

WRITTEN QUESTION No 2050/80

by Mr Glinne

to the Council of the European Communities

(25 February 1981)

Subject: Level of public development aid in the Member States

At a recent meeting the OECD's Development Aid Committee (DAC) reviewed what was being done by its Member States for the Third World and, in particular, congratulated the Netherlands government, deservedly, on the fact that in 1979 its net aid payments represented 0.70% adopted by the United Nations.

Will the Council therefore answer the following questions, in each case with reference to 1979 and for each Member State?

1. What was the level of public aid to the Third World as a percentage of GNP?
2. How much of this aid was in the form of gifts both in absolute and percentage terms?
3. How much was in the form of multilateral contributions?
4. To what extent were payments tied to reciprocal purchase commitments?

Answer

(28 July 1981)

1. In 1979 official development assistance by the nine Member States, expressed as a percentage of their gross national product, was as follows ⁽¹⁾:

— Belgium	0.56%
— Denmark	0.75%
— France	0.59%
— Federal Republic of Germany	0.44%
— Ireland	0.18%
— Italy	0.08%
— Luxembourg	0.20% (of GDP)
— Netherlands	0.93%
— United Kingdom	0.52%

With regard to the attitude of the Member States to the target of 0.7% of GNP for official development assistance, the attention of the Honourable Member

⁽¹⁾ Figures from the OECD Development Assistance Committee.

is drawn to the reply to his Written Question No 1788/80 ⁽¹⁾ ⁽²⁾.

2 to 6. The Council does not have the figures which would enable it to answer these questions, but they are examined annually by the OECD Development Assistance Committee.

Community development aid policies are already very largely based on most of the criteria mentioned by the Honourable Member in connection with the policy of the Government of the Netherlands; these criteria are taken into account with varying degrees of emphasis in aid to non-associated developing countries, in financial and technical cooperation under the Lomé Convention and in the food aid programme.

⁽¹⁾ Furthermore, in the case of Italy, net payments made in 1980 under the heading of official development assistance were almost twice the 1979 figure, rising to approximately 600 million dollars, i.e. 0.15% of GNP. For the years 1981 to 1983, the Italian authorities have announced that, under a three-year plan, they intend between now and 1983 to increase Italian official development assistance to 0.34% of GNP with a view to reaching the target of 0.70% of GNP before the end of the decade.

⁽²⁾ OJ No C 178, 20. 7. 1981, p. 2.

WRITTEN QUESTION No 2265/80

by Mr Patterson

to the Commission of the European Communities

(6 March 1981)

Subject: Milk powder

1. Is the Commission satisfied that milk powder supplied as food aid is being correctly used when fed to small babies?
2. Is the Commission also satisfied that powdered milk supplied commercially to developing countries is not unnecessarily replacing breast feeding and proving a danger to young babies when incorrectly used?

Answer given by Mr Pisani
on behalf of the Commission

(22 July 1981)

1. The Commission is aware of the problems raised by the use of milk powder in feeding small babies.

Consequently, when the Commission provides milk powder as food aid, it makes sure that the product is distributed through appropriate channels (e.g. hospitals, welfare centres) supervised by qualified staff.

2. The use of powdered milk supplied commercially to the developing countries is not supervised by the Commission. In the latter's opinion, it is primarily the responsibility of the relevant authorities of the importing countries to lay down the conditions for use and to make sure they are observed.

Work in this field is currently under way within WHO and UNICEF (for example at the 34th World Health Assembly, which opened on 4 May 1981 in Geneva).

WRITTEN QUESTION No 109/81

by Mr Papaefstratiou

to the Commission of the European Communities

(3 April 1981)

Subject: Common policy on sea transport

1. Article 74 of the EEC Treaty requires the establishment of a common transport policy, which should also cover the sea transport sector.
2. The establishment of rules in relation to the common policy on sea transport lies within the competence of the Council of the European Communities acting upon proposals from the Commission (Article 75 of the EEC Treaty).
3. By virtue of Council Decision No 77/587/EEC ⁽¹⁾ a procedure of mutual consultations has been established in order to coordinate the policies of the Member States *vis-à-vis* third countries on sea transport matters and to formulate a common attitude on these matters where they are pending before international organizations.
4. (a) The press, on the other hand, has frequently reported cases of dumping practices adopted by several non-member States in relation to prices charged for the transportation of goods on their government-owned fleets. These practices are highly prejudicial to the interests of both the Community and individual Member States.

⁽¹⁾ OJ No L 239, 17. 9. 1977, p. 23.

(b) Furthermore, an increasing number of non-member countries impose requirements as to the transportation of goods to and from their ports by ships flying their own national flag. These requirements may also be prejudicial to the interests of the Community and individual Member States.

5. The Council Decision of 13 June 1978 introduced a system for monitoring the activities mentioned in 4 (a) above. The Council is also empowered to take countermeasures against all parties who had used such practices.

Would the Commission state whether negotiations are being held with non-member countries with a view to settling the matter referred to under 4 (b) above? What is the Commission's position on these issues?

**Answer given by Mr Contogeorgies
on behalf of the Commission**

(25 May 1981)

1, 2 and 3. Article 84 of the EEC Treaty provides for the 'Transport' Title of the Treaty to apply to transport by rail, road and inland waterway; and that the Council may, acting unanimously, decide whether, to what extent and by what procedure appropriate provisions may be laid down for sea and air transport. The Council has, since 1977, adopted under Article 84 a number of instruments concerning shipping, including Decision No 77/587/EEC referred to by the Honourable Member.

At the same time the general rules of the Treaty, outside the Transport Title, apply to shipping.

4 and 5. In relation to non-commercial practices and flag discrimination to which the Honourable Member refers, the Council has adopted measures providing for the Member States to collect information on the activities of the fleets of third countries whose practices are harmful, and envisaging future Council decisions on joint application by the Member States of countermeasures⁽¹⁾; for information on liner trades between the Community and Central America, East Africa and the Far East to be collected⁽²⁾; and for the Member States to ratify or accede, with appropriate safeguards, to the United Nations Convention on a Code

of Conduct for Liner Conferences⁽³⁾. The Commission is now discussing with the Member States the scope for Community solidarity against flag discrimination in those shipping trades unlikely to be subject to the Code of Conduct. Generally, the Commission shares the Honourable Member's concern about both non-commercial practices and flag discrimination in shipping as shown by its Communication to the Council of June 1976⁽⁴⁾.

⁽³⁾ Council Regulation No 954/79 of 15. 5. 1979, OJ No L 121, 17. 5. 1979, p. 1.

⁽⁴⁾ COM(76) 341 final of 30. 6. 1976.

WRITTEN QUESTION No 110/81

by Mr Papaefstratiou

to the Council of the European Communities

(3 April 1981)

Subject: Common policy on sea transport

1. Article 74 of the EEC Treaty requires the establishment of a common transport policy, which should also cover the sea transport sector.

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(b) Furthermore, an increasing number of non-member countries impose requirements as to the transportation of goods to and from their ports by ships flying their own national flag. These requirements may also be prejudicial to the interests of the Community and individual Member States.

⁽¹⁾ Council Decision No 78/774/EEC of 19. 9. 1978, OJ No L 258, 21. 9. 1978, p. 35.

⁽²⁾ Council Decisions Nos 79/4/EEC of 19. 12. 1978, OJ No L 5, 9. 1. 1979 p. 37; 80/1181/EEC of 4. 12. 1980, OJ No L 350, 23. 12. 1980, p. 44; 81/189/EEC of 26. 3. 1981, OJ No L 88, 2. 4. 1981.

⁽³⁾ OJ No L 239, 17. 9. 1977, p. 23.

5. The Council Decision of 13 June 1978 introduced a system for monitoring the activities mentioned in 4 (a) above. The Council is also empowered to take countermeasures against all parties who had used such practices.

Would the Council state the results of the monitoring of such illegal practices and which action, if any, has been taken with a view to protecting Community and individual Member States' interests against such practices?

Answer

(28 July 1981)

On 19 December 1978 the Council adopted, on the basis of Decision 78/774/EEC of 19 September 1978 concerning the activities of certain third countries in the field of cargo shipping ⁽¹⁾, Decision 79/4/EEC on the collection of information concerning the activities of carriers participating in cargo liner traffic between the Member States and East Africa and Central America ⁽²⁾.

The information collected pursuant to that Decision has given cause for concern regarding the competitive position of Member States' shipping lines and needs to be augmented. It was also thought that the collection of information should be extended to traffic between the Community and the Far East in view of the characteristics and the volume of such traffic.

In an effort to gain more precise information on this matter, on 4 December 1980 the Council adopted Decision 80/1181/EEC whereby the collection of information introduced by Decision 79/4/EEC of 19 December 1978 is to be continued until 31 December 1981 and extended to cover carriage between the Member States and the Far East ⁽³⁾. The detailed rules for the collection of information concerning the activities of carriers participating in cargo liner traffic between the Member States and the Far East were established by Council Decision 81/189/EEC of 26 March 1981 ⁽⁴⁾.

Under Article 3 of Decision 78/774/EEC of 19 September 1978, the Member States and the Commission are to examine regularly the activities of the third country fleets, on the basis *inter alia* of the information produced by the collection of information decided on by the Council.

⁽¹⁾ OJ No L 258, 21. 9. 1978, p. 35.

⁽²⁾ OJ No L 5, 9. 1. 1979, p. 31.

⁽³⁾ OJ No L 350, 23. 12. 1980, p. 44.

⁽⁴⁾ OJ No L 88, 2. 4. 1981, p. 32.

For its part, the Council may decide, where necessary, on the joint application by Member States of appropriate countermeasures forming part of their national legislation.

WRITTEN QUESTION No 146/81

by Mr Martin

to the Commission of the European Communities

(13 April 1981)

Subject: Fraudulent marketing of alcoholic blends as wine

In certain Member States the production of alcoholic beverages similar to wine is allowed provided they are exported to third countries. Through fraudulent dealings, such products have reappeared on the Community market and been sold as wine.

What does the Commission intend to do to prevent these fraudulent practices?

**Answer given by Mr Dalsager
on behalf of the Commission**

(22 July 1981)

The Honourable Member appears to be referring to the Special Committee of Enquiry's report on EAGGF Guarantee Section activities in the wine sector, in which the production of alcoholic beverages similar to wine is mentioned and details are given of a case where such beverages were marketed as wine in the Community.

Production of these beverages occurred before the Community's regulations on the preparation and description of wines were introduced. The products in question were marketed as wine after this date with the use of false documents. The responsible party was found guilty of the offence by process of law.

The Community's regulations do not prohibit the manufacture and marketing of alcoholic beverages similar to wine but they do seek to ensure that the description and presentation of these artificial products cannot lead to their confusion with wine.

If the beverages in question bear a description which misleads the consumer as to their nature by suggesting

that they are in fact wine, Article 2 (1) (a) of Directive 79/112/EEC ⁽¹⁾ applies. Moreover, Article 16 (4a) of Regulation (EEC) No 338/79 ⁽²⁾ lays down precise rules governing the use of certain categories of description such as the name of a specified region, the name of a vine variety, etc. The Member State in which such beverages are made would in this case be obliged to prohibit the fraudulent description without delay.

⁽¹⁾ Council Directive 79/112/EEC of 18. 12. 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (OJ No L 33, 8. 2. 1979, p. 1).

⁽²⁾ Inserted in the Regulation in question by Regulation (EEC) No 459/80 (OJ No L 57, 29. 2. 1980, p. 32).

WRITTEN QUESTION No 155/81

by Mr Glinne

to the Commission of the European Communities

(13 April 1981)

Subject: Restriction on imports into the Community of Japanese electronic products

According to Japanese Government statistics published in the 'Herald Tribune' on 15 January 1981, the number of Japanese colour televisions sold in the Community was 22.6% higher in 1980 than in 1979 although the market is at a standstill.

Japan has already captured 70% of the European market for tape-recorders and experts are predicting a 25% increase in their sales in ten European countries in 1981.

Mr Toshio Takai, vice-president of the Japanese electronic industries association, has accused Philips (Netherlands), Thomson (France) and Grundig (Federal Republic of Germany) of putting pressure on the European Community – through their respective governments – to erect barriers against Japanese exports.

According to Mr Takai, the EEC has not yet taken any action despite exploratory talks with the Japanese Government to limit exports to Europe.

1. Have the firms mentioned by Mr Takai in fact put pressure on the Commission?
2. Does the European Community intend to take steps to limit Japanese exports of electronic equipment to Europe?

3. If so, what progress has been made in the talks with the Japanese Government and what measures have been proposed?

**Answer given by Mr Davignon
on behalf of the Commission**

(23 July 1981)

1. All three firms mentioned by Mr Takai are members of the trade organizations in the electronics sector with which the Commission is in contact. A further sixty or so companies are members of these organizations. The firms mentioned by Mr Takai cannot therefore impose their opinions arbitrarily on the organizations and even less on the Commission.

2. At present, the Community does not intend to take any measures to restrict the imports of electronic equipment from Japan. However, the Community has set up a statistical monitoring system to record imports of certain products from Japan from 1 January 1981; colour television sets and tubes for colour televisions sets are covered ⁽¹⁾.

3. In accordance with the Council's request of 17 February 1981, the Commission is pursuing its activities and its contacts with the Japanese government in those sectors giving concern, including that of colour television sets. This problem was discussed at the high-level consultations held on 1 June.

The Commission is continuing its search for a solution by contacts with the Japanese authorities.

⁽¹⁾ OJ No L 54, 28. 1. 1981, p. 63.

WRITTEN QUESTION No 165/81

by Mrs Clwyd

to the Council of the European Communities

(13 April 1981)

Subject: Target noise level for heavy lorries

Would the Council indicate what progress is being made in Member States to achieve a target noise level for heavy lorries of 80 dB (A) or under by 1985? Can this be achieved?

Answer*(28 July 1981)*

When adopting, in March 1977, the Directive amending Directive 70/157/EEC relating to the permissible sound level of motor vehicles, the Council stated that it was convinced that for the future other measures designed to lower traffic noise level were desirable. In this context, it thought that an attempt should be made to attain, by 1985, a level of the order of 80 dB (A) for all categories of vehicles, that the levels adopted should take account of the technical and economic possibilities available at that time and be fixed sufficiently early so as to provide manufacturers with an adequate transitional period to enable them to improve their products. The Council accordingly requested the Commission to prepare proposals for amendments along these lines.

Since then, this aim has not been lost sight of and discussions on this subject have continued both within the framework of the Community, particularly in the Council, and within the Economic Commission for Europe in Geneva.

As far as the Community is concerned, it will be for the Commission to submit any proposals it considers appropriate to the Council in due course.

WRITTEN QUESTION No 172/81**by Mr Glinne****to the Commission of the European Communities***(13 April 1981)*

Subject: Health improvement work in black Africa entrusted to the USA by the ACDA

On 2 March 1981 'Le Monde' announced that an agreement—which has so far remained confidential—had been concluded by the six member countries of ACDA (Joint Association for the development of Africa), namely France, Belgium, the Federal Republic of Germany, the United Kingdom, the United States and Canada.

By the terms of this agreement all health improvement work in black Africa has been placed under the direction of the USA since the beginning of 1981.

It is reported that a very detailed programme drawn up by American experts was presented last November to a

meeting of the Foreign Ministers of the ACDA countries in Paris. It covers 47 countries and 340 million inhabitants. The programme, which is to run from 1981 to 1985 and for which the US Congress has apparently granted \$ 35 million, includes:

- training activities for health workers;
- promotion of applied research in 10 to 15 countries (e.g. trials of new vaccines and medicines);
- dissemination of health education material in at least 20 countries;
- activities aimed at improving the planning of health programmes in 19 countries, including the establishment and revision of national plans for applying the enlarged programme for the vaccination of children drawn up by the World Health Organization.

The CDC (Centre for Disease Control – Atlanta) has apparently been chosen to implement the project sponsored by US-Aid.

The repercussions of such an agreement, if its existence is confirmed, would be serious in a number of respects as it would:

- open up the African market for serums, vaccines and bio-medical equipment to the Americans;
- give the USA an avenue of political penetration in an area where European predominance has been long established for historical reasons. Our privileged relations with the African states find particular expression in health activities, as this is one aspect of the colonial heritage which these countries have never rejected.

Despite the reservations of the Federal Republic of Germany and Belgium, the partners in the ACDA have apparently committed Europe to a policy of renunciation and abandonment to the benefit of American interests (cultural, industrial, linguistic, etc.).

Is the Commission aware of the content of this agreement? What is its position on the decision to make the United States responsible for health improvement work in black Africa?

**Answer given by Mr Pisani
on behalf of the Commission***(22 July 1981)*

As stated in its answer to Written Question No 1786/80 by Mr Cohen ⁽¹⁾ the Commission is not party to the

⁽¹⁾ OJ No C 88, 21. 4. 1981, p. 9.

agreement known under the name of 'Concerted Action for the Development of Africa' (CADA), which brings together six industrialized countries, including four Member States of the Community. It is therefore not able to provide a full reply to the question asked by the Honourable Member, but it can refer to the information it obtained in December 1980 at the CADA meeting which it attended as an observer.

It would appear in fact that the states participating in CADA have divided up amongst themselves the responsibility for studying the main sectors of development in Africa, as a result of which the United States has been allocated the task of coordinating the study on improvement of public health. To state on this basis that 'all health improvement work in black Africa has been placed under the direction of the USA' is not substantiated by the evidence, which shows such responsibility to be incumbent upon the African countries themselves. The press report referred to by the Honourable Member has no factual basis as far as the Commission is aware.

In this connection it should be stressed that cooperation between the Community and the African countries is based entirely on the principle of the latter's sovereignty and that consequently in any concerted action pursuant to the Lomé Convention the initiative must come from them and involve their effective participation. The Commission respects this fundamental principle in the relations it already has or is developing with the various bilateral and multilateral financing agencies.

WRITTEN QUESTION No 211/81

by Mr Glinne

to the Commission of the European Communities

(17 April 1981)

Subject: Conference on aid for Zimbabwe

A five-day international conference to raise an estimated \$ 2 000 million in aid over three years for Zimbabwe, which has long been torn by civil war, opened in Salisbury, the capital of Zimbabwe, on 23 March 1981 at the invitation of Prime Minister Robert Mugabe. The funds raised will be used to finance reconstruction in the country, particularly in rural areas where major improvements are needed in infrastructures and ownership of the arable land has to be changed to allow large numbers of former guerrillas to become peasant farmers.

1. What is the total amount of aid firmly promised by the participants at the Salisbury Conference?
2. What undertakings were given by European countries that are not members of the EEC?
3. What bilateral agreements were entered into by the Member States of the EEC?
4. What is the situation as regards the undertakings given by the EEC under the Lomé Convention and/or at the Salisbury Conference? Why were these undertakings given?

**Answer given by Mr Pisani
on behalf of the Commission**

(23 July 1981)

1. According to statements issued by the Zimbabwe Ministry of Economic Planning and Development, total commitments made by participants at the March 1981 Zimbabwe Conference on Reconstruction and Development (Zimcord) were 1 281 million Zimbabwe dollars (Z dollar) ⁽¹⁾, for both Zimcord programmes and other development objectives.

2. Bilateral aid and other resource commitments made by European countries, who are not members of the EEC, were as follows:

	<i>Z dollars (million)</i>
Finland	5.2
Norway	11.3
Sweden	54.4
Switzerland	16.3
Yugoslavia	2.8
	<u>90.0</u>

3. Bilateral aid and other resource commitments made by EEC Member States were as follows:

	<i>Z dollars (million)</i>
Belgium	8.0
Denmark	12.5
France	71.4
Federal Republic of Germany	62.3
Italy	23.1
Ireland	0.05
Luxembourg	2.0
Netherlands	16.2
United Kingdom	177.0
	<u>372.55</u>

⁽¹⁾ 1 Zimbabwe dollar (Z dollar) = 1.36 ECU (1 June 1981).

While the bulk of these resources were provided on aid terms, certain contributions included significant commercial loan elements.

4. At Zimcord the Community gave an undertaking that in the period up to the end of 1984, it expected to make available an amount equivalent to some Z dollars 120 million (151.2 million ECU) for Zimcord and other development programmes in Zimbabwe.

This undertaking took account of the emergency aid committed to Zimbabwe since independence as well as the additional 85 million ECU to be added to the fifth European Development Fund, as a result of Zimbabwe's accession to the second Lomé Convention, and the provision of 14.5 million ECU to Zimbabwe in 1981 under the aid programme for non-associated countries in the period prior to the completion of the ratification process for Zimbabwe's accession to Lomé. In addition it was foreseen in the Community undertaking at Zimcord that the European Investment Bank would make a significant contribution to Zimbabwe's development under the second Lomé Convention.

The commitments made by the Community are intended to provide effective support to the new Government of Zimbabwe in sustaining its programmes for reconstruction and development, particularly in the less developed regions of the country, in the field of vocational education and training, and in regard to regional cooperation with other Member States of the Southern African Development Coordination Conference (SADCC).

WRITTEN QUESTION No 213/81

by Mr Didó

to the Council of the European Communities

(17 April 1981)

Subject: Suppression of trade union rights and freedoms in the Principality of Monaco

1. Has the Council been notified of Law No 1025 of 1 July 1980 adopted by the National Council of the Principality of Monaco, Article 19 of which lays down that voluntary participation in either an unlawful protest movement or in a strike that is or becomes illegal provides legitimate grounds for breaking a contract of employment?

2. What action will the Council take to remind the tutelary authority of the Principality of Monaco to

assume the responsibility devolving on it as a result of the fact, among others, that one of its Ministers of State is President of the Government of the Principality?

3. What steps does the Council intend to take to remind the Governments of the Member States that they also have responsibilities in that 11 900 Frenchmen and 5 300 Italians as well as numerous nationals of other Member States working in the Principality are thus being deprived of their trade union rights and freedoms and of the right to strike under Article 28 of the Constitution of 17 December 1962?

Answer

(28 July 1981)

The Question put by the Honourable Member does not come within the Council's sphere of responsibility as the Principality of Monaco is not part of the Community.

WRITTEN QUESTION No 224/81

by Mr Damseaux

to the Council of the European Communities

(22 April 1981)

Subject: Interpretation of the final communiqué of the European Council on the provisional places of work of the European Institutions

In spite of the major inconvenience to Members and staff of the European Parliament resulting from the constant shuttling back and forth between Parliament's various places of work, the ten Heads of State and of Government, meeting in Maastricht, decided to maintain the *status quo* on the question of the seat of the Institutions, i.e. the distribution of meetings between Brussels, Luxembourg and Strasbourg.

This decision, or rather non-decision, has already given rise to different interpretations.

At his press conference, the President of the French Republic stated that Strasbourg had been confirmed as the European Parliament's seat.

This is disputed by certain Luxembourg circles who maintain that the *status quo* implies holding part-sessions alternately in Luxembourg and Strasbourg.

In support of this view they point out that the final communiqué of the European Council refers specifically to the 'status quo' and not to the 1965 inter-governmental agreement which provided that all part-sessions would be held in Strasbourg.

Can the Council say which of these two interpretations is correct?

Answer

(23 July 1981)

It is not up to the Council to give an interpretation of the decision taken, in accordance with the provisions of the Treaties, by the Heads of State and of Government of the Member States at Maastricht on 23 and 24 March 1981 concerning the provisional places of work of the European Institutions.

WRITTEN QUESTION No 263/81

by Mr Seligman

to the Commission of the European Communities

(27 April 1981)

Subject: Selling prices and taxes for oil supplied to the Community's animal foodstuffs industry

Will the Commission tabulate the average selling prices and taxes for oil supplied to the animal foodstuffs industry in each Member State and in the US during 1980?

Will the Commission indicate the date when these statistics were compiled and in each case the national source of this data?

Will the Commission indicate in each case whether national subsidies, commercial and fiscal rebates are granted and supply details?

Please state prices in EUAs.

**Answer given by Mr Dalsager
on behalf of the Commission**

(10 July 1981)

The Commission does not possess the specific information required to answer all the Honourable

Member's questions. As regards selling prices and taxes for oil used by the animal feedings industry, the Commission would refer the Honourable Member to the answer to his Written Question No 264/81 ⁽¹⁾.

⁽¹⁾ See below.

WRITTEN QUESTION No 264/81

by Mr Seligman

to the Commission of the European Communities

(27 April 1981)

Subject: Selling prices and taxes for oil supplied to the Community's fertilizer industry

Will the Commission tabulate the average selling prices and taxes for oil supplied to the fertilizer industry in each Member State and in the USA during 1980?

Will the Commission indicate the date when these statistics were compiled and in each case the national source of this data?

Will the Commission indicate in each case whether national subsidies, commercial and fiscal rebates are granted and supply details?

Please state prices in EUAs.

**Answer given by Mr Davignon
on behalf of the Commission**

(24 July 1981)

The Commission does not have the specific data, needed to answer this question, at its disposal. For details of the general price conditions which apply to this sector the Commission would refer the Honourable Member to its answer to his Written Question No 261/81 ⁽¹⁾. With regard to taxation, no Member State applies differential rates of excise duty to fuel oil depending on the industry to be supplied.

⁽¹⁾ OJ No C 199, 6. 8. 1981.

WRITTEN QUESTION No 282/81

by Mr Narducci and Mr Bersani
to the Commission of the European Communities
(27 April 1981)

million ECU

Drinking water supply:	
— urban areas	30
— rural areas	53
Environmental health	<u>14</u>
Total:	97

Subject: Community contribution to the 'International decade of drinking water and environmental health'

1981 marks the beginning of the 'International decade of drinking water and environmental health' designated by the United Nations General Assembly to get to grips with a human tragedy that affects more than half the world's population, of which three-fifths live in developing countries.

The men, women and children in question have no access to either clean water or waste water disposal systems and therefore contract diseases that are often fatal or at any rate cause untold suffering.

It has been estimated that, to attain the objectives of this 'Decade', at least four times the annual amounts already allocated will be needed to provide the appropriate infrastructures.

Can the Commission state:

1. What financial contribution the European Community has made to this sector, particularly as regards the developing countries associated with it through the Lomé Convention?
2. What position it has adopted *vis-à-vis* the United Nations initiative and what action has been or will be taken to inform the public in those countries?
3. What funds will be made available in the developing countries to attain the abovementioned objectives in order to associate the European Community with this humanitarian endeavour?

Answer given by Mr Pisani
on behalf of the Commission

(22 July 1981)

1. Under the first Lomé Convention, Community aid (grants and loans on special terms) to the ACP States for drinking water supply and environmental health schemes was as follows:

This amount is equivalent to nearly 5% of total commitments for projects, and relates to schemes in the specific sector in question. In addition, a number of integrated rural development projects and microprojects involved the sinking of wells, boreholes, etc.

Under the second Lomé Convention, which entered into force on 1 January 1981, funds committed by 30 April 1981 concerned one project only in the sector in question, involving an amount of 10.5 million ECU for a rural water supply scheme. It is difficult to know exactly what other specific schemes may be financed from the resources of the fifth EDF and hence what the Community's financial contribution to this sector will be, as programming is based not on projects but on objectives and the urban water supply and environmental health sector is normally covered by the general objectives of 'urban development' or 'health' in the indicative programmes of the ACP States, while rural water supply comes under the general objective of 'rural development'. It is possible to state, however, that 21 ACP countries have already prepared or are preparing water supply or environmental health projects, which could therefore be presented to the Commission in 1981-1982.

With regard to the Maghreb and Mashreq countries, the Community's contribution to date under the financial protocols in force for the current three-year period amounts to 121 million ECU in respect of water supply and environmental health, including a recent commitment for a very large project (31.54 million ECU) in Egypt. Lastly, 15 million ECU has so far been committed in this sector for the non-associated developing countries.

2. The Commission's position on this point was stated in the answer to Oral Question No H-761/80 by Miss Hooper ⁽¹⁾.

3. The Commission will continue to give active support to drinking water supply and environmental health projects in the context referred to in paragraph 1 —

⁽¹⁾ Debates of the European Parliament, No 1-270 (April 1981), p. 16.

notably in the light of the priorities indicated by the recipient states – and within the limits of the resources at its disposal for financial cooperation with the developing countries.

WRITTEN QUESTION No 283/81

by Mr Curry

to the Commission of the European Communities

(6 May 1981)

Subject: Commission's intervention with the French Government concerning character of recent FF 4 bn aid

Has the Commission received a reply from the French Government to its questions about the character of the FF 4 bn aid recently announced in Paris? If it has, what is the answer? What is the Commission's response to that answer? If no reply has been received, what steps is the Commission taking to pursue its inquiries in this case?

**Answer given by Mr Dalsager
on behalf of the Commission**

(23 July 1981)

The French authorities notified the Commission of a number of aid measures decided on at the annual agricultural conference in 1980.

With regard to the agricultural income subsidy in 1980 (about FF 2 000 million), the Commission initiated the procedure provided for in Article 93 (2) of the EEC Treaty ⁽¹⁾. The French authorities have communicated their comments to the Commission. The procedure will be concluded either by a final decision published in the *Official Journal of the European Communities* or by closure of the case as it stands.

With regard to the other measures, the French authorities have themselves stated that additional information was called for. Most of these measures have been published in the French 'Journal Officiel' in the meantime.

⁽¹⁾ OJ No C 95, 25. 4. 1981, p. 2.

WRITTEN QUESTION No 290/81

by Mr Pedini

to the Commission of the European Communities

(6 May 1981)

Subject: Educational experiments in EEC countries

1. Is the Commission aware that educational experiments with a European content are being conducted in some Community countries at least?
2. Do these experiments take account of the experience and programmes of the European Schools?
3. Will the Commission in any case recommend to the governments that European type experiments be conducted both in primary and secondary schools as a means of promoting the free movement and professional activities of the citizens of the Community?

**Answer given by Mr Richard
on behalf of the Commission**

(22 July 1981)

1. The Commission endeavours to follow as far as possible the progress of educational experiments with a European content in Member States. Though the pattern is by no means even, it can generally be said that there is considerable interest in such activities among researchers and teachers throughout the Community. Every year a substantial number of such activities, both at national and European levels, receive financial support from the Community through the subventions of the Kreyssig Fund.

2. It must be remembered that the European Schools have a very special function to perform and that not all their experience is of direct application to the needs of schools in the national systems. Nonetheless there are of course achievements of the European Schools which are of wide interest – in the field of language teaching for example, and (more recently) of civic education. The Commission has the impression that this experience is not as well known as it should be. The Commission would be interested in assisting the dissemination of this experience, but the resources do not exist for this to be possible.

3. The two Communications which the Commission transmitted to the Council in June 1978, one on the Educational Activities with a European Content ⁽¹⁾, the

⁽¹⁾ Doc. COM(78) 241, 8. 6. 1978.

other on the Teaching of Languages in the Community ⁽²⁾, were aimed at promoting the objectives indicated by the Honourable Member, though the programme proposals derived from them were adopted as to content by the Council and Ministers of Education on 27 June 1980, it has still not been possible to resolve the outstanding problems about the texts to be adopted so as to permit the necessary finances to be secured from the Community budget for this purpose.

⁽²⁾ Doc. COM(78) 222, 14. 6. 1978.

WRITTEN QUESTION No 314/81

by Mr Galland

to the Commission of the European Communities

(6 May 1981)

Subject: Imbalance on taxes levied on oil products

Each week thousands of French drivers go to Luxembourg to buy petrol. The reason is the arbitrary price differential in the case of certain products, resulting from the varying incidence of taxation. Thus VAT rates in Luxembourg are very low and the taxes levied on energy and oil products in particular are extremely moderate in comparison with the Community average.

What measures does the Commission propose against a course of action which infringes the fundamental principles of the Treaty of Rome, which was designed to establish a system ensuring that there is no distortion of competition and hence to harmonize the legislation needed for a common energy policy?

**Answer given by Mr Tugendhat
on behalf of the Commission**

(22 July 1981)

The Commission firmly believes that, in the long run, harmonization of the main taxes on consumption is the only means of abolishing tax frontiers without causing distortions of competition or deflections of trade between Member States.

It was with this aim in view that, as an element in the harmonization of all excise duties, the Commission presented the Council in 1973 with a proposal for a Directive on the harmonization of the structures of excise duties on mineral oils, which will have to be followed up at a later stage by an alignment of the rates. The Commission has on several occasions reminded the Council, which has not yet examined this proposal, of the need to take a decision as soon as possible.

The same considerations apply *mutatis mutandis* to VAT.

WRITTEN QUESTION No 325/81

by Mr Kavanagh

to the Commission of the European Communities

(6 May 1981)

Subject: Common sheepmeat regime

1. Has the Commission made any assessment to date as to the workings of the common sheepmeat regime?
2. In the light of any such assessment, will the Commission make supplementary proposals to remove those elements of this regime which are in conflict with two of the fundamental principles of the Common Agricultural Policy, i.e. Community preference and unity of the market?

**Answer given by Mr Dalsager
on behalf of the Commission**

(23 July 1981)

The Commission keeps under close review the operation of the market organizations. It does not consider that the sheepmeat market organization decided by the Council is in conflict with fundamental principles of the common agricultural policy. The Commission, however, has now proposed to the Council a Regulation ⁽¹⁾ which would amend Regulation (EEC) No 1837/81 ⁽²⁾ in one practical respect.

⁽¹⁾ Doc. COM(81) 279.

⁽²⁾ OJ No L 183, 16. 7. 1980, p. 1.

WRITTEN QUESTION No 326/81by **Mrs Le Roux**to the **Commission of the European Communities**

(13 May 1981)

Subject: Calculation of fishing quotas

Can the Commission state whether fish processed on board factory-ships off the coasts of the United Kingdom is included in the calculation of quotas?

**Answer given by Mr Contogeorgis
on behalf of the Commission**

(24 July 1981)

In a Working Document of 21 January 1981, the Commission services have described the application of the criteria of traditional fishing activities as 'the average of fishing by Member States in the base period 1973 to 1978, removing in the 1978 figures fishing exceeding the quotas proposed for that year by the Commission and taking into account quota exchanges between Member States. Industrial catches, i.e. directed fishing for industrial purposes of human consumption fish and excess by-catches of human consumption fish in industrial fisheries are also removed from the annual catches 1973/1978'. Of course, this description applies equally to the catches processed on board factory-vessels off the British coasts.

WRITTEN QUESTION No 333/81by **Mrs Lizin**to the **Commission of the European Communities**

(13 May 1981)

Subject: Meeting of the member States of CADA (Concerted Action for the Development of Africa)

Was the Commission aware of the meeting held in Bonn in May 1980 and involving several European countries (Belgium, United Kingdom, Federal Republic of Germany and France), the USA, Japan and certain Middle East countries, whose aim was to draw up joint development programmes for Africa?

The individual programmes and projects adopted are as follows (the principal country responsible is indicated in brackets):

1. Rail transport in southern and eastern Africa: repairing and extending the networks (Federal Republic of Germany);
2. Repairs to the railway links between Zimbabwe and Mozambique (United Kingdom);
3. Roads in central Africa: Kisangani-Bukavu and Bouar-Tbati section of the trans-African highway (Belgium);
4. Juba-Lodwar road in the Sudan (United Kingdom);
5. Contribution to the integrated rural development programmes (France): (a) irrigated areas of the Senegal and Niger basins; (b) development of the Senegal river;
6. Extension of rural development research and methods (USA);
7. Measures to improve public health facilities (USA).

Does the Commission consider it right for such programmes to be developed without its participation?

How does it interpret item 7 above?

Has Europe withdrawn from supporting efforts in Africa to improve public health facilities, leaving a monopoly in this field to the USA?

**Answer given by Mr Pisani
on behalf of the Commission**

(22 July 1981)

In its answers to Written Questions No 1786/80 by Mr Cohen⁽¹⁾ and No 172/81 by Mr Glinne⁽²⁾, the Commission pointed out that it was not a party to the agreement known as Concerted Action for the Development of Africa (CADA). Consequently, it does not wish to comment on the arrangements made by the countries participating in CADA to improve their coordination.

⁽¹⁾ OJ No C 88, 21. 4. 1981, p. 9.

⁽²⁾ See page 12 of this Official Journal.

As to point 7 indicated by the Honourable Member, the Commission would refer him to the answer already given to Mr Glinne. It is obvious, however, that if the African states so wish, the Community, while respecting the provisions of the Lomé Convention, is prepared to support efforts to improve public health. On the basis of the general pattern that emerged from the programming of the fifth EDF, Europe will continue to participate actively in this key development sector in the years to come.

WRITTEN QUESTION No 356/81

by Mr Orlandi and Mr Cariglia

to the Commission of the European Communities

(13 May 1981)

Subject: Use of the appropriations under Title 10, Chapter 10.0, lines 1 to 8 of the budget of the Commission of the European Communities

1. Does the Commission intend to use the sums entered under items 1 to 8 of Chapter 10.0 – provisional appropriations – of the budget of the Commission of the European Communities for 1981 which were made available by the European Parliament to enable staff of the European Cooperation Agency to become Community officials?
2. Does the Commission also intend – in addition to the establishment of ECA staff seconded to the Directorate-General for Development – to agree to the requests made in Paragraph 3 of the European Parliament's resolution published in OJ No C 140 of 5 June 1979, p. 142, thus complying with the conditions restricting the use of these sums?

**Answer given by Mr Pisani
on behalf of the Commission**

(23 July 1981)

1. The provisional appropriations entered under headings 1 to 8 of Chapter 10.0 of the Commission's budget for 1981 were made available by the budgetary authority in order to enable the 32 members of the staff of the European Association for Cooperation seconded to the Directorate-General for Development to be given the status of established officials in the course of the current year. This process is now under way.

2. The Commission has proposed in the preliminary draft budget for 1982 that 56 temporary posts be created for the headquarters staff of the European Association for Cooperation referred to in paragraph 3 of Parliament's resolution ⁽¹⁾.

⁽¹⁾ OJ No C 140, 5. 6. 1979, p. 142.

WRITTEN QUESTION No 360/81

by Mr Van Miert

to the Commission of the European Communities

(13 May 1981)

Subject: Cold storage facilities

Over the past year or so there has been a considerable deterioration in the general economic position of commercial cold stores as a result of unbridled expansion. The reduction of intervention traffic and private storage, partly because of high central costs, have caused further surplus capacity and further reductions in profitability. Recent bankruptcies, company closures and redundancies are typical.

1. Is the Commission aware that serious difficulties have arisen in this sector because producers have used EEC and other intervention subsidies to construct cold stores larger than those needed for their own requirements, and are waging a cut-price war?
2. Does the Commission consider it justifiable that the small sums available should be used for investments which provide few jobs and at the same time increase surplus capacity in the sector, thus threatening employment in the existing companies?
3. Can the Commission indicate what measures it is considering to stop these activities?

**Answer given by Mr Dalsager
on behalf of the Commission**

(22 July 1981)

1. The Commission, aware of the difficulties that have arisen in certain parts of the Community in the sector referred to by the Honourable Member, has applied a very restrictive aid policy in this sector.

2. However, it would emphasize that Community investment aid for cold stores – granted mainly in the context of the common agricultural policy, in particular under Council Regulation No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed ⁽¹⁾ – is based on the following principles:

- (a) the cold stores must not constitute multi-purpose and/or independent investments;
- (b) the cold stores must be linked with existing processing and marketing facilities; there must be a reasonable expectancy that the stores will be profitable and the planned investment must be necessary; they must constitute the only economically viable solution;
- (c) special attention must be paid to the degree of capacity utilization and to ensuring that the planned capacity does not exceed the processing and marketing capacity of the facilities with which they are linked.

3. The Commission feels that consideration should not be given to further restrictions in this field, since they might well hamper achievement of the objectives of the common agricultural policy as regards the processing and marketing of agricultural products.

⁽¹⁾ OJ No L 51, 23. 2. 1977.

WRITTEN QUESTION No 371/81

by Mr Hutton

to the Commission of the European Communities

(19 May 1981)

Subject: Bottling of low proof whisky

Is the Commission aware that whisky consisting of an admixture of Scotch Malt and French Grain whiskies is being bottled in France at a proof below the 40° Gay Lussac of Scotch Whisky bottled in Scotland?

Does the Commission believe that this constitutes fair trading?

What proposals does the Commission have for ensuring a minimum strength for Scotch Whisky?

**Answer given by Mr Narjes
on behalf of the Commission**

(22 July 1981)

The Commission is aware of the situation described by the Honourable Member. Since there is no Community rule establishing a minimum strength for whisky the situation is a matter for the French regulations. The Commission is currently investigating possibilities for a Community solution.

WRITTEN QUESTION No 379/81

by Mr Muntingh

to the Commission of the European Communities

(19 May 1981)

Subject: Ecology and Development – Chimpanzees in Sierra Leone

On 12 March 1981 the 'Algemeen Dagblad' carried a report on a campaign organized by the youth section of the WWF to protect chimpanzees in the Gambia and Sierra Leone. The article says that in recent years in Sierra Leone 8 000 chimpanzees have been killed and 1 400 exported and that only 2 000 are left alive in the whole country.

1. Are these figures, as far as the Commission can ascertain, correct?
2. Has Sierra Leone signed and ratified the Washington Convention on International Trade in Endangered Species of Wild Flora and Fauna?
3. If not, is the Commission prepared in the contacts it has with Sierra Leone as an ACP State to urge it to sign and/or ratify this Convention?
4. Is the Convention a subject of discussions in the ACP-EEC Consultative Assembly?
5. If not, would the Commission consider it desirable to have this subject put on the agenda of future meetings?
6. What other nature protection measures are being taken to safeguard the future of chimpanzees in Sierra Leone and in other countries?
7. Is the Commission prepared to play an active role in this matter and if so how?

**Answer given by Mr Pisani
on behalf of the Commission**

(24 July 1981)

The figures for chimpanzees given in the Honourable Member's question correspond broadly to the estimates reached in a study carried out in Sierra Leone in 1980 by a researcher from George Washington University. The study concluded that there should be a ban on all exports of wild animals and that a national park should be set up. This proposal received the approval and backing of the government of Sierra Leone and work has just begun on setting up a national park.

The Commission is prepared to provide assistance under the Lomé Convention (in particular Article 93 (2) of Lomé II) if the local government should so request.

According to information received by the Commission, Sierra Leone will ratify the Washington Convention, once its legal and technical implications have been examined.

The Washington Convention was not an item on the agenda of the ACP-EEC Consultative Assembly.

2. When may all the Member States of the Community be expected to accede to this Convention?
3. What measures does the Commission intend to take in order to prevent double penalties being imposed for traffic offences committed in Member States of the Community in future?

**Answer given by Mr Narjes
on behalf of the Commission**

(23 July 1981)

1. The Council of Europe Convention (European Convention on the Punishment of Road Traffic Offences), which came into force in 1972, has been ratified by France and Denmark and signed by Belgium, Greece, Italy, Luxembourg, the Netherlands and the Federal Republic of Germany (position as of July 1981).

2. The Commission will not be able to answer this question until it receives the necessary information on the Member States' intentions in regard to the ratification of the Convention.

3. The Commission does not intend, at present, to take measures to harmonize the laws of the Member States with a view to preventing double penalties being imposed for traffic offences committed in a Member State other than the country of origin. The Commission hopes that all Member States will ratify the European Convention.

WRITTEN QUESTION No 383/81

by Mr Seefeld

to the Commission of the European Communities

(19 May 1981)

Subject: Double penalties for traffic offences in the European Community

It was recently reported in the press that German citizens sentenced for a traffic offence in a Member State of the European Community can under certain circumstances expect to have a second case brought against them for the same offence in the Federal Republic when, for example, the sentence imposed abroad is considerably lighter than that which might be expected in Germany. These double penalties are possible because the principle that an individual should only be punished once for one and the same act is valid only for cases tried in Germany.

1. Which Member States of the Community are members of the European convention concluded in 1972 whose purpose was to make it possible to impose penalties for traffic offences committed in another country?

WRITTEN QUESTION No 388/81

by Mrs Scrivener

to the Commission of the European Communities

(19 May 1981)

Subject: Agreements concerning the installation of newsagents' premises

In September 1980 the Commission of the European Communities received a complaint from the Belgian Newsagents' Union. This complaint – based on Article 85 of the Treaty – draws attention to the existence of agreements preventing an increase in the number of newsagents' outlets.

Since agreements or associations which distort competition are in theory prohibited under Article 85 of the Treaty, can the Commission state what Community criteria led it to consider that the agreements 'contribute to improving the production or distribution of goods or to promoting technical or economic progress while allowing consumers a fair share of the resulting benefits'?

**Answer given by Mr Andriessen
on behalf of the Commission**

(27 July 1981)

The complaint to which the Honourable Member refers does not come from a national organization representing Belgian newsagents, as the name suggests, but from a number of newsagents or would-be newsagents who have formed a non-profit-making association and complain that they have been hampered in the setting-up, development or extension of their activities in this sector by private entities called 'regional advisory committees for the establishment or relocation of newsagents' premises'. The complainants claim that these entities constitute agreements set up by the official newsagents' associations in conjunction with the publishers' and wholesalers' associations.

Since the complaint is at present being investigated, the Commission is unable to provide further information on the subject.

In accordance with the consistent case-law of the Court of Justice ⁽¹⁾, agreements prohibited under Article 85 ⁽¹⁾ of the EEC Treaty may be exempted from that prohibition under Article 85 ⁽³⁾ only where they afford appreciable objective advantages to offset the disadvantages in terms of competition, and allow consumers a fair share of the resulting benefit.

The Commission must, therefore, assess the positive and negative effects of each agreement, which depend largely on the nature of the agreement in question and its economic and legal context.

The practical results of the Commission's assessments are found in the many individual decisions it has given and in its block exemption regulations.

In the case of distribution agreements, for example, the Commission recognizes the following as being advantages: the streamlining of sales networks, the possibility of entering new markets and the assurance of

continuity of supplies and adequate after-sales service. It regards the following as being unacceptable disadvantages: the segregation of national markets, the exclusion of price competition at various stages of marketing and the rigid fixing of distribution outlets for a whole sector.

It must be emphasized that, even where the advantages of an agreement appear to outweigh the disadvantages in financial terms, the agreement in question may not be exempted where it includes restrictions which are not essential or where it allows the parties thereto to eliminate competition in respect of a substantial part of the products concerned.

WRITTEN QUESTION No 408/81

by Mr Adam

to the Commission of the European Communities

(21 May 1981)

Subject: Supplementary measures – Northern Region

Will the Commission please explain why it has decided not to make financial contributions in respect of advance factory applications?

Would the Commission claim that all the measures it has chosen to support would have a greater job creation capability than the advance factory submissions?

**Answer given by Mr Giolitti
on behalf of the Commission**

(23 July 1981)

The United Kingdom Government did not introduce a request for the financing of advance factories in the North of England under the Regulation establishing supplementary measures in favour of the United Kingdom ⁽¹⁾. Therefore the second question did not arise.

⁽¹⁾ Council Regulation 2744/80/EEC (OJ No L 284, 29. 10. 1980, p. 4).

⁽¹⁾ Judgment of the Court of Justice of 13 July 1966 in Joined Cases 56 and 58/64 (Grundig-Consten), 1966/ECR, 299, 348.

WRITTEN QUESTION No 410/81
by Mrs Pruvot
to the Commission of the European Communities
(21 May 1981)

Subject: Dangers posed by the increase in carbon dioxide in the atmosphere

The World Meteorological Organization has just issued a warning against the dangers posed by the constant accumulation of carbon dioxide in the atmosphere, the effect of which may be to alter the world climate, with all the economic, political and social consequences which that implies.

Does the Commission intend to draw up a research programme to contribute to a better understanding of this problem?

Answer given by Mr Narjes
on behalf of the Commission
(22 July 1981)

By its Decision of 18 December 1979 the Council of Ministers adopted a multiannual research programme for the European Economic Community in the field of climatology ⁽¹⁾.

This programme, which will terminate in 1985, includes a study of man's influence on climate as a result of his presence and activities, with special emphasis on the accumulation of carbon dioxide from fossil fuels in the atmosphere.

The climatology programme is designed to help solve this problem by way of mathematical models of the climatic system after anthropogenic disturbances and of measurements of physico-chemical variations in the earth's atmosphere.

⁽¹⁾ OJ No L 12, 17, 1, 1980, p. 24.

WRITTEN QUESTION No 438/81
by Mr Flanagan
to the Commission of the European Communities
(4 June 1981)

Subject: EEC policies in the west of Ireland

Will the Commission provide a detailed analysis of how the various Community policy instruments have affected

the development of the west of Ireland and does the Commission believe that the objectives of these policies are being met?

Answer given by Mr Giolitti
on behalf of the Commission
(27 July 1981)

The Commission has endeavoured, through its various policies and with the financial resources at its disposal, to contribute to the regional development of the west of Ireland.

Though it cannot provide a detailed analysis of the effect of its policies on regional development, which is a very long term process and does not depend solely on Community measures, the Commission can assure the Honourable Member that it will continue to support the development of this region, since one of the priority objectives of Community policy is to help reduce regional imbalances.

A document describing the assistance provided in the West of Ireland by the Community's main financial instruments for structural purposes is being sent directly to the Honourable Member and to the Secretariat of the European Parliament.

WRITTEN QUESTION No 463/81
by Mr Doublet

to the Commission of the European Communities
(19 June 1981)

Subject: Gaps in customs control

The flow of international goods traffic is still being subjected to constraints owing to gaps in customs control in certain countries which arbitrarily limit the points of internal customs clearance.

Could the Commission see to it that action is taken to remedy this situation?

**Answer given by Mr Narjes
on behalf of the Commission**

(22 July 1981)

The Commission would remind the Honourable Member of the approach it made to the Italian Government regarding the limitation of the number of customs posts authorized to clear certain types of goods. It would refer him to its answers to Written Questions Nos 990/79 by Mr Marshall ⁽¹⁾, 1955/80 by Mr Seefeld ⁽²⁾ and 23/81 by Mr Bettiza, Mr Cecovini and Mr Pininfarina ⁽³⁾.

The Commission is of course always willing to consult the Member State concerned on any new case which is brought to its attention.

⁽¹⁾ OJ C 80, 31. 3. 1980, p. 23.

⁽²⁾ OJ C 115, 18. 5. 1981, p. 10.

⁽³⁾ OJ C 153, 22. 6. 1981, p. 13.

WRITTEN QUESTION No 469/81

by Mr Karl Schön

to the Commission of the European Communities

(19 June 1981)

Subject: Introduction of a Community driving licence and accompanying harmonization of qualifications and regulations

It is generally known that anyone wishing to obtain a driving licence in the Federal Republic of Germany must provide, among other documents, proof that he has completed a course in first aid. The Road Transport Licensing Order (para 8) lists the organizations which offer such a course.

Recently, however, I heard of a case in which a German citizen completed a first aid course with the Red Cross in Luxembourg and found that the certificate he received was not accepted by the licensing office in the Federal Republic when he applied for a driving licence. Since it is quite likely that German citizens in our frontier regions will also take such courses in Belgium or France, I am concerned that first aid courses taken with foreign organizations, particularly in neighbouring countries, will not be recognized, or will be accepted only as substitutes, in applications for driving licences in the Federal Republic.

My friend and colleague, Heinrich Studentkowski from Bitburg, who is a member of the Land parliament, wrote a letter on this subject to Heinrich Holkenbrink, Minister of State at the Ministry for Economic Affairs and Transport in Mainz. In his reply, Mr Holkenbrink pointed out that 'the German first aid organizations

recognized by the Road Transport Licensing Order have, together with the Federal Medical Society and other bodies concerned with emergency care, drawn up a syllabus specifying the type and scope of instruction and training'.

According to enquiries made by the Ministry, 'foreign training centres do not generally provide courses which correspond to this syllabus (this refers to courses elsewhere in Europe). The Road Transport Licensing Order therefore recognizes only medical or dental training completed outside the purview of the basic law as an equivalent qualification. In all other instances, such courses may be recognized only in individual cases, following an investigation by the German authorities responsible as to the suitability of the centre for instruction and training. The training centre must first apply for acceptance under this procedure. It alone can provide the necessary confirmation that the type and scope of the training meets the specified requirements'.

Can the Commission say:

1. when the proposal to introduce a driving licence which is valid throughout the European Community is likely to come into effect?
2. how much progress has been made with the preparatory work on the introduction of a Community driving licence?
3. whether, in addition to the introduction of the European driving licence, it is also proposed that examination procedures and conditions of admission to the driving test be harmonized?
4. if so, whether this would include uniform rules on first aid training?

**Answer given by Mr Contogeorgis
on behalf of the Commission**

(27 July 1981)

1 and 2. The Member States are required to adopt no later than 30 June 1982 the laws, regulations or administrative provisions, necessary for the implementation of Directive 80/1263/EEC on the introduction of a Community driving licence ⁽¹⁾ from 1 January 1983. However, they may decide not to issue Community driving licences until a later date, which may not be later than 1 January 1986.

3. Article 10 of this Directive specifies that the Council, acting on a proposal from the Commission, is to carry out, as soon as possible, a more detailed harmonization of the standards for driving tests and licensing.

¹ OJ No L 375, 31. 12. 1980, p. 1.

4. The principle of including first aid training in the requirements for obtaining a driving licence, and, where appropriate, the details of this training, will be submitted to experts from the Member States whom the Commission intends to consult before submitting proposals to the Council. There are known to be many differences between the rules established by the Member States with regard to driving tests, and it is therefore impossible to anticipate the outcome of these consultations.

WRITTEN QUESTION No 502/81

by Mr Boyes

to the Commission of the European Communities

(22 June 1981)

Subject: Rural decline and deprivation

What investigations has the Commission conducted into the accelerating process of decline and deprivation within rural areas brought about by a disproportionate impact of adverse economic factors?

What steps is the Commission prepared to take to ensure that additional resources are channelled into these areas to reverse this process?

**Answer given by Mr Giolitti
on behalf of the Commission**

(23 July 1981)

On 7 January 1981, the Commission sent to the Council the First Periodic Report on the social and economic situation of the regions of the Community ⁽¹⁾. As regards the less-favoured regions, many of which are rural regions with low output per capita and high unemployment, the report shows how they have fallen even further behind the other regions since the early 1970s.

With particular regard to agriculture, a study made for the Commission entitled 'The regional impact of the common agricultural policy' reveals that regional disparities in farm incomes, which were already significant, worsened during the 1970s, one reason being the unfavourable economic conditions in the weakest regions.

In the regional policy field, the Council, acting on a proposal from the Commission, adopted on 7 October 1980 five specific Community regional development

⁽¹⁾ Doc. COM(80) 816 final

measures ⁽²⁾. Three of them concern less-favoured rural areas in the Community, namely the French regions bordering Spain, the Mezzogiorno and the areas straddling the border between Ireland and Northern Ireland.

Under agricultural policy, the Council's recent amendments to the policy on farm structures include specific development programmes to attack the problems of agricultural development in certain less-favoured regions of the Community where such problems are particularly acute, and integrated development programmes in those regions where the development of agriculture is highly dependent on the simultaneous and parallel development of other economic sectors.

⁽²⁾ OJ No L 271, 15. 10. 1980.

WRITTEN QUESTION No 505/81

by Mr Moreland

to the Commission of the European Communities

(22 June 1981)

Subject: Rear fog lights

At present rear fog lights operate on some Community-built cars when a car is driven on dipped or main headlights or on side lights only. On the other hand on some Community-built cars rear fog lights operate only when dipped headlights are used.

Does the Commission propose to introduce a proposal for harmonization, and on what basis?

**Answer given by Mr Narjes
on behalf of the Commission**

(23 July 1981)

The Community provisions on the operation of rear fog lamps are laid down in Directive 76/756/EEC ⁽¹⁾ which stipulates that the rear foglamp should be able to light up 'only when the dipped-beam headlamp or the front fog lamps are in use.'

The cases mentioned by the Honourable Member can therefore only concern vehicles satisfying national and non-Community provisions as regards the operation of rear fog lamps.

⁽¹⁾ OJ No L 262, 27. 9. 1976, p. 1.

