

# Official Journal

## of the European Communities

English edition

## Information and Notices

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## I

*(Information)*

## EUROPEAN PARLIAMENT

## WRITTEN QUESTIONS WITH ANSWER

**WRITTEN QUESTION No 1630/82**  
**by Mr Eric Forth (ED – GB)**  
**to the Commission of the European Communities**  
*(23 November 1982)*

*Subject:* Seal preservation programmes in Greece

Can the Commission confirm:

1. that EEC funds were made available for the development of a monk seal protection scheme at Seitani in Greece,
2. that Greece has recently asked Mr Bill Johnson, a UK national, to leave Greece because of his activities in seal preservation,
3. that the Greek authorities are permitting the effective destruction of the Seitani monk seal reserve by commercial development,
4. that EEC Regulations are being breached by the Greek authorities in connection with this matter?

**Answer given by Mr Narjes**  
**on behalf of the Commission**  
*(4 May 1983)*

1. The plan to protect monk seals at Seitani has not received financial aid from the Community. However, financial aid has been granted to a site in the Northern Sporades.
2. According to information from the Greek authorities received by the Commission, Mr Johnson was requested to leave Greece for reasons other than his activities to protect monk seals.

3. The competent Greek authorities seem to have stopped the developments affecting the Seitani reserve, as required by the Decree from the Minister for Regional Development classifying the area in question as a protected site.

4. No.

**WRITTEN QUESTION No 1787/82**  
**by Mr Finn Lynge (S – DK)**  
**to the Commission of the European Communities**  
*(17 December 1982)*

*Subject:* Seal hunting

As is well known, neither baby seals nor types of seal in danger of extinction are hunted in Greenland, nor are any products of catches of this kind exported from Greenland. Nevertheless, the front page of the Danish-language EEC newsletter states that the Commission's proposed import ban on baby seals skins does not apply to Greenland seal skins 'as long as Greenland is in the EEC', which must be taken to mean that, on withdrawing from the EEC, Greenland skins will come under an import ban. The intention is clear and annoying.

The Commission is requested to refute, in its reply, this crude and misleading attempt to manipulate public opinion in Greenland.

Can the Commission accept the report on seal skins on the front page of Danish EEC newsletter No 13, 1982, as a piece of reliable, politically non-manipulative, consciously objective journalism?

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

(28 April 1983)

The Commission firmly rejects any suggestion that the article in the EF-Avisen referred to by the Honourable Member was designed to influence public opinion in Greenland. Its aim was to simply point out that the measures proposed by the Commission would not have adverse consequences for Greenland.

The Honourable Member is reminded that the Directive adopted by the Council on 18 March 1983 concerning the importation into Member States of skins of certain seal pups and products deriving therefrom <sup>(1)</sup> applies only to products which do not result from traditional hunting by the Inuit people.

<sup>(1)</sup> OJ No L 91, 9. 4. 1983, p. 30.

gave rise to the term, usually changes when the young are about 12 months old. The Commission follows terminology practice although clearly aware that in individual specimens the change in colour may take place when the animal is anywhere between less than 12 and up to 14 months old.

Where exports from Greenland are concerned, the Commission would draw the Honourable Member's attention to Article 3 of Directive 83/129/EEC <sup>(1)</sup> concerning the importation into Member States of skins of certain seal pups and products derived therefrom.

This Article states that the restrictions on trade in the products covered by this Directive do not apply to products resulting from traditional hunting by the Inuit people. The Council and the Commission realized that the hunting practices of the Inuit did not affect baby seals and that a disturbance of the vital interests of the Inuit should be avoided.

<sup>(1)</sup> OJ No L 91, 9. 4. 1983.

**WRITTEN QUESTION No 1788/82**

by Mr Finn Lyngé (S - DK)

to the Commission of the European Communities

(17 December 1982)

*Subject:* Determination of age of seal pups

In contrast with COM(82) 639 final ed., Annex No 2 (CCT heading No ex 43.02), which concludes with the words 'klapmysunger (blaeresael)' <sup>(1)</sup>, the text of the Annex as reproduced in the Danish language edition of PE 81.016/final (concerning the abovementioned document) p. 4 bottom right-hand column, concludes with the words 'unger af klapmysds (bluebacks)' <sup>(2)</sup>.

The general view in the seal-catching industry is that a seal - including hooded seals - may be called a pup if it is less than 12 months old. At seal-skin auctions, however, the skins of young hooded seals are also designated 'blueback', even though they are obviously the skins of animals over 12 months old.

This question is of importance, albeit marginal, to Greenland's seal-skin exports.

How does the Commission define a 'blueback' in terms of age?

<sup>(1)</sup> Hooded seal pups (bladder-nose seal).

<sup>(2)</sup> Pups of hooded seals (bluebacks).

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

(27 April 1983)

As the Honourable Member says, the skins of young hooded seals are called 'blueback' by both hunters and traders. The characteristic colour of these animals, which

**WRITTEN QUESTION No 1844/82**

by Mrs Barbara Castle (S - GB)

to the Commission of the European Communities

(10 January 1983)

*Subject:* Transport of live animals

How many Member States have brought into force the laws, regulations and administrative provisions necessary to comply with Directive 77/489/EEC <sup>(1)</sup> and Directive 81/389/EEC <sup>(2)</sup> establishing measures necessary for the protection of animals during international transport?

<sup>(1)</sup> OJ No L 200, 8. 8. 1977, p. 10.

<sup>(2)</sup> OJ No L 150, 6. 6. 1981, p. 1.

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

(6 May 1983)

All the Member States have notified the Commission of the action they have taken to implement Directive 77/489/EEC. The Commission is now studying notifications made under Directive 81/389/EEC by Denmark, the Federal Republic of Germany, France, Luxembourg, the Netherlands and the United Kingdom.

**WRITTEN QUESTION No 1848/82**

by Mrs Danielle De March (COM – F)

to the Commission of the European Communities

(10 January 1983)

*Subject:* Finance for shipbuilding and ship repairs

Could the Commission provide statistics on a country-by-country basis for each year from 1975 to 1981 (with estimates for 1982 if possible) showing funds actually made available under the Community budget (the Social Fund, the Regional Development, and Chapter 7 of the budget), and financing from non-budgetary sources (EIB loans) in respect of shipbuilding and ship repair?

With reference to the EIB loans, could the Commission state which projects were granted funds, and also make a more general statement as to the criteria it applies when deciding, with the EIB, to grant loans and subsidies to this sector?

**WRITTEN QUESTION No 237/83**

by Mrs Danielle De March (COM – F)

to the Commission of the European Communities

(28 April 1983)

*Subject:* Finance for shipbuilding and ship repairs

Since the Commission has not answered my Question No 1848/82 <sup>(1)</sup> on the same subject, I ask it – in view of the importance of the matter – to be kind enough to provide statistics, on a country-by-country basis, covering the years 1975 to 1982, showing funds actually made available under the Community budget (European Social Fund, European Regional Development Fund, Chapter 7 of the budget) and from non-budgetary sources (European Investment Bank (EIB) loans) in respect of shipbuilding and ship repair.

With reference to EIB loans, can the Commission state which projects were granted funds, and also make a more general statement as to the criteria it applies when deciding, with the EIB, to grant loans and subsidies to this sector?

<sup>(1)</sup> See page 3 of this Official Journal.

**Joint answer given by Mr Giolitti  
on behalf of the Commission**

(29 April 1983)

The Honourable Member will find below details of the financial assistance made available by the Community to the shipbuilding and ship-repair industries between 1975 and 1982.

Since its inception in 1975 up to the end of 1982, the Regional Fund has financed investment in this sector to the tune of 4 209 866 ECU. This figure breaks down as follows:

Denmark	237 276 ECU
Federal Republic of Germany	812 565 ECU
France	1 408 181 ECU
Ireland	112 802 ECU
Italy	528 474 ECU
Netherlands	442 261 ECU
United Kingdom	373 807 ECU
Belgium	294 500 ECU
<b>Total</b>	<b>4 209 866 ECU</b>

In addition, under Council Regulation (EEC) No 2617/80 instituting a specific development measure <sup>(1)</sup>, the Fund's non-quota section can award grants totalling 17 million ECU over a five-year period for operations contributing to overcoming constraints on the development of new economic activities in certain zones adversely affected by restructuring of the shipbuilding industry.

The Commission has proposed that this measure, which benefits certain zones in the United Kingdom, be expanded by doubling the resources allocated to it and by introducing new types of assistance <sup>(2)</sup>.

As for the Social Fund, the fact that national and regional applications can cover several types of operation and that the Member States may submit grouped applications under the current rules makes it impossible to single out the measures that assist shipyard workers. The specific measures that it has been possible to identify for the years 1980, 1981 and 1982 concerned 9 500 people altogether. They represented a Fund commitment of 20 million ECU in favour of the United Kingdom, Italy and France.

In 1980, the Commission approved two loans for the shipbuilding industry under Article 54 (2) of the ECSC Treaty:

- Federal Republic of Germany: 4 million ECU
- Italy: 22 million ECU

Amounts totalling 17 million ECU were paid out in 1980 and 1982 for the project in Italy.

Since 1975, the European Investment Bank has not made any loans in respect of investments in the shipbuilding or ship-repair industries in the Community.

The criteria for the granting of EIB loans are laid down in the EEC Treaty and in the Bank's Statute, which forms an integral part of the Treaty. Depending on the circumstances, these provisions permit the financing of the type of investment we are discussing. Prior to 1975, the Bank had granted assistance totalling 12,3 million ECU for shipyard investments in Italy and Denmark.

<sup>(1)</sup> OJ No L 271, 15. 10. 1980.

<sup>(2)</sup> Doc. COM(82) 658 final, 18. 11. 1982.

**WRITTEN QUESTION No 1849/82**by **Mr Jørgen Bøgh (CDI – DK)**to the **Commission of the European Communities***(10 January 1983)**Subject:* Expenditure incurred in connection with information offices in Denmark

Information is requested as to what expenses the EEC incurs in connection with Parliament and Commission information offices in Denmark, i.e. expenditure incurred in connection with the following: staff salaries in Copenhagen and Brussels, rent for premises, external information activities, publications issued by the information offices (newspapers, periodicals, educational material, etc.), advertising, support for the European Movement and other organizations, expenses incurred in holding courses and publishing leaflets and brochures relating to them, expenditure on scholarships, study trips, etc., information visits to Brussels, exhibitions, any other expenditure.

**Answer given by Mr Natali  
on behalf of the Commission***(19 April 1983)*

The Commission's accounting system as currently organized does not permit detailed answers to be given to the Honourable Member's questions.

The Commission is always willing to provide the various supervisory authorities with any available data they may wish to have concerning its information offices.

It is suggested that the Honourable Member refer to his own institution as regards expenditure relating to Parliament's offices.

**WRITTEN QUESTION No 1851/82**by **Mr Robert Moreland and Mr Derek Prag  
(ED – GB)**to the **Commission of the European Communities***(10 January 1983)**Subject:* Transport facilities for the disabled

Following the European Parliament's Resolution of 11 March 1981 <sup>(1)</sup> and in particular the opinion of the Transport Committee) concerning the economic, social and vocational integration of disabled people in the European Communities, will the Commission now say what steps it has taken to:

1. examine the recommendations made by the European Conference of Ministers of Transport (ECMT) and the United Nations Economic Commission for Europe, concerning parking and traffic facilities for the disabled, and, consequently, prepare programmes for Community action on this subject;
2. arrange with Member States for national passes for disabled people to be valid throughout the Community;
3. ensure that concessionary fares for the handicapped are applied throughout the Community on a reciprocal basis;
4. amend the Social Fund so that it can be used for pilot schemes to improve transport facilities for the handicapped; and
5. draw up proposals for financing a Community research programme into improvements in the design of transport modes to ease the mobility of the handicapped and senior citizens?

<sup>(1)</sup> OJ No C 77, 6. 4. 1981, p. 27.**Answer given by Mr Richard  
on behalf of the Commission***(27 April 1983)*

1 to 3. Mobility is one of the principal elements on which the Commission will concentrate its second policy initiative in the course of the action programme to promote the social integration of disabled people <sup>(1)</sup>.

The Honourable Members will be aware that the first of these initiatives is focusing on the employment problems and opportunities of the disabled. The second, which will concern environmental questions including mobility, will build on the work already undertaken by international organizations to which the Honourable Members refer, as well as on a detailed study recently completed for the Commission on door-to-door transport systems for disabled people in the Community. In the framework of transport policy, the second stage of the application of Directive 80/1263/EEC on a Community driving licence <sup>(2)</sup> will include work on the issue of such licences to handicapped drivers.

During 1983 the Commission will launch the other studies necessary to prepare the basis for policy development at Community and national level in the fields of access, housing and recreation, as well as mobility. It is the Commission's intention to cover all the points mentioned by the Honourable Members including the idea of national passes, as well as parking facilities, concessionary fares and improvements in transport systems and design. As far as social fares (which include

those for disabled people) are concerned, reference is also made to the Commission's answer to Written Question No 1891/82 by Mr Seefeld <sup>(3)</sup>.

4. It will be possible as one of the outcomes of the aforesaid initiative to consider whether the present programme of pilot projects on the housing of disabled people should be extended to include also transport and other mobility projects.

The basic terms of reference of the European Social Fund, as laid down in Article 123 of the EEC Treaty, do not provide for specific action in the area of transport. The Social Fund will nevertheless be used to co-finance the network of district projects on disability which constitutes one of the main elements of the abovementioned action programme. It will be a principal objective of this network to explore how training and employment initiatives for the disabled can and must be accompanied by measures to ensure the necessary supporting environment.

5. The Commission does not at this stage envisage making proposals for specific Community research in the design of transport modes designed to improve the mobility of disabled and/or elderly people.

<sup>(1)</sup> OJ No C 347, 31. 12. 1981.

<sup>(2)</sup> OJ No L 375, 31. 12. 1980.

<sup>(3)</sup> OJ No C 104, 18. 4. 1983.

#### WRITTEN QUESTION No 1876/82

by Mr Jaak Vandemeulebroucke (CDI - B)  
to the Council of the European Communities  
(10 January 1983)

*Subject:* Imports of New Zealand butter

It has been announced that the agreement permitting New Zealand to export butter to the Community is to be extended to cover a further 87 000 tonnes.

Can the Council state the grounds on which this extension was granted?

In view of the enormous butter surplus in the Community and the (justifiable) attitude of France in this matter, does the Council not consider that it would have been wiser to refrain from granting this extension?

**Answer**

(25 May 1983)

On 1 April 1981, the Council adopted Regulation (EEC) No 858/81 <sup>(1)</sup> which lays down the transitional arrangements for imports of butter from New Zealand into the United Kingdom for the period from 1 April 1981 to 31 December 1983. Under the terms of this Regulation the amounts of New Zealand butter which could be imported were 70 250 tonnes for the period from 1 April

to 31 December 1981, and 92 000 tonnes for 1982. For 1983, the Regulation provides that the Council, on a proposal from the Commission, will decide on the amount to be imported with regard in particular to the development of the situation on the Community butter market and the development of the world butter market. The amount for 1983 as a whole has been fixed at 87 000 tonnes, with 7 250 tonnes for each month of the first quarter (Council Regulations (EEC) No 3499/82 of 21 December 1982, (EEC) No 125/83 of 18 January 1983 and (EEC) No 344/83 of 8 February 1983) <sup>(2)</sup>, and 65 250 tonnes for the nine months from April to December (Council Regulation (EEC) No 642/83 of 15 March 1983) <sup>(3)</sup>. By the first Regulation, the Council raised the special levy applicable to New Zealand butter from 77,52 ECU to 84,36 ECU per 100 kg.

In fact this is not an extension since the current arrangements run until the end of 1983. It should also be noted that the continuity of the arrangements for imports into the United Kingdom of New Zealand butter is determined by Article 5 of Protocol 18 annexed to the Treaty of Accession. The Heads of State and of Government of the Communities, meeting in Council at Dublin on 10 March 1975, underlined in a statement the importance which they attached to this Protocol as regards relations with New Zealand, a traditional supplier of dairy products to a substantial part of the enlarged Community. The Heads of Government also agreed at that meeting that the annual quantities for New Zealand butter to be established by the Community institutions in the framework of the special arrangements after 1977 should not deprive New Zealand of outlets which are essential for it.

Before 1 August 1983 the Council, on the basis of a report and a proposal from the Commission and pursuant to the provisions of Regulation (EEC) No 858/81 referred to above, will review the operation of the present arrangements with a view to taking a decision on the arrangements to apply to imports of New Zealand butter after 1 January 1984.

<sup>(1)</sup> OJ No L 90, 4. 4. 1981, p. 18.

<sup>(2)</sup> OJ No L 368, 28. 12. 1982, p. 1; OJ No L 17, 21. 1. 1983, p. 2; OJ No L 40, 12. 2. 1983, p. 1.

<sup>(3)</sup> OJ No L 76, 22. 3. 1983, p. 1.

#### WRITTEN QUESTION No 1889/82

by Mrs Mechthild von Alemann (L - D)  
to the Commission of the European Communities  
(14 January 1983)

*Subject:* Motor cars as part of personal effects for removals to a different Community Member State

1. Is it true, as far as the Commission is aware, that a German citizen moving to the Netherlands has to pay



motor vehicle tax on his or her motor car on crossing the frontier, but cannot obtain a Dutch registration plate (in order to be able to surrender the German registration plate) and is therefore subject to double taxation for three months? How does the Commission view this situation?

2. Does the Commission believe the Dutch position – that a vehicle less than six months old does not count as part of the personal effects of a German citizen moving to the Netherlands and hence must be imported in the normal way – to be compatible with the EEC Treaty (Article 48 ff) and does it think that these regulations should be changed?

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

*(29 April 1983)*

1. Since different chargeable events (owner's place of residence, registration plate) are prescribed by law in the Member States, a car may be subject to motor vehicle tax on a variety of counts. To avoid any risk of double taxation, removals should be carried out using a temporary transit plate. In the case referred to by the Honourable Member, this would have to be a German one.

2. The harmonized tax rules applicable to the removal of personal effects are not yet in force. On 28 March 1983 the Council adopted the proposal for a Directive on tax exemptions applicable to personal property of individuals on permanent importation from another Member State which the Commission had sent to it on 30 October 1975. Member States are required to bring into force the necessary implementing measures not later than 1 January 1984. The Directive provides for a tax exemption upon importation among other things for motor vehicles, but only where the vehicle was acquired at least six months prior to importation. The situation in the Netherlands is therefore in keeping with Community rules.

The rules applicable in the Netherlands were introduced under the provisions on the free movement of goods and not under the current Community rules relating to the free movement of workers<sup>(1)</sup>, which concern the entry, residence and taking up of paid employment in Member States by nationals of other Member States.

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

**WRITTEN QUESTION No 1890/82**  
**by Mrs Mechthild von Alemann (L – D)**  
**to the Commission of the European Communities**  
*(14 January 1983)*

*Subject:* Driving licence problems for installation workers

A Dutch installation worker who only returns to his home in the Netherlands at weekends and lives during the week near his place of work in the Federal Republic of Germany was fined by a German court for driving 'without a driving licence' because he was 'only' in possession of a valid Dutch driving licence and was driving a car that should have had a German registration plate.

1. Does the Commission share the view that the fining of a Dutch installation worker possessing a valid Dutch driving licence by a court in the Federal Republic of Germany for 'driving without a driving licence' highlights the need for immediate Community harmonization in this area and what initiatives does the Commission intend to take on this matter even before the introduction of the European driving licence?
2. Is it true, as far as the Commission is aware, that the installation worker concerned cannot use his vehicle to visit his family in the Netherlands if it has a German registration plate and he possesses a German driving licence? What does the Commission plan to do to remedy this unsatisfactory state of affairs?

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

*(29 April 1983)*

1. Before 1 January 1983 there were no Community provisions on the exchange of driving licences in the event of the holder of a driving licence establishing his usual residence in a Member State other than the one which issued his licence. Nevertheless, subject to certain conditions, the German authorities did issue exchange driving licences. Since 1 January 1983 and in accordance with Article 8 of Directive 80/1263/EEC<sup>(1)</sup> on the introduction of a Community driving licence, when the holder of a national driving licence establishes his usual residence in another Member State his licence remains valid there for a maximum of one year following his establishing the said residence. If the case quoted occurred now, the Dutch installation worker would have to exchange his Dutch driving licence for a German one within one year of taking up residence in the Federal Republic of Germany if he wanted his licence to be regarded as valid for longer than one year. The

Commission can only regret that the Court did not take into account the fact that the above Directive, which was published at the end of 1980, was to take effect on 1 January 1983.

2. If the installation worker concerned has established his usual residence in the Federal Republic and if he is the holder of a German driving licence and drives a vehicle registered in the Federal Republic he will be treated as a visitor when he returns to the Netherlands. His licence is valid there subject to the conditions set out in Article 1 of the above Directive.

However, if, as may be assumed, he has maintained his place of residence in the Netherlands because of family ties, he should, when in Holland, use a car registered there. Nevertheless, if the party concerned applies, and subject to certain conditions, the Dutch authorities may waive this rule and authorize him to use his German-registered car for travelling to his place of residence in the Netherlands.

For a long time now the Commission has been trying to solve the numerous problems arising out of the use of vehicles in Member States other than the country of residence of the user. In 1975, in an attempt to provide a solution, the Commission sent the Council a proposal for a Directive on tax exemptions for certain means of transport temporarily imported into one Member State from another<sup>(2)</sup>, which the Council adopted on 28 March 1983.

The Directive, which takes effect in the Member States on 1 January 1984, should solve the problem raised by the Honourable Member. Under the provisions of the Directive the installation worker will be able to use his Dutch-registered car in the Federal Republic of Germany for a period, continuous or otherwise, not exceeding six months in any one 12-month period. He will also be able to keep his place of residence where his family ties are, i.e. the Netherlands.

The Directive also provides that a private car registered in the country of residence of the user may be used for regular journeys on the territory of another Member State in order to travel from the user's home to the company's place of work and back. This exemption is not limited in time.

<sup>(1)</sup> OJ No L 375, 31. 12. 1980.

<sup>(2)</sup> OJ No C 267, 21. 11. 1975.

**WRITTEN QUESTION No 1952/82**  
by **Mr Michael Welsh (ED – GB)**  
to the **Commission of the European Communities**  
(18 January 1983)

*Subject:* Company law and other proposals

Following its reply to Written Question No 888/81<sup>(1)</sup> last year can the Commission indicate whether or not it intends to make proposals on:

- insider dealing;
- the taking-up of the activity of stockbroker;
- a ninth company law Directive?

<sup>(1)</sup> OJ No C 345, 31. 12. 1981, p. 4.

**Answer given by Mr Narjes**  
**on behalf of the Commission**  
(11 March 1983)

There is already a Community measure in existence which is relevant to the problem of insider trading. This is the Commission's recommendation concerning a European Code of Conduct relating to transactions in transferable securities, issued in 1977<sup>(1)</sup>. Some of the code's rules deal specifically with this problem.

The Commission has noted a growing awareness of the need to combat insider trading in the Member States, (in addition to France, the United Kingdom has now adopted legislation in this field, and Belgium is considering this step) as well as outside the Community (e.g. the recent Agreement between Switzerland and the United States). The Commission is still considering how best to reinforce the insider trading provisions of the European Code of Conduct taking these developments into account.

As regards the taking-up of the activity of stockbroker, the position is still the same as that outlined in the Commission's reply to Written Question No 888/81 by the Honourable Member<sup>(2)</sup>.

As mentioned in this earlier reply, the Commission will, at the appropriate time, submit a proposal for a ninth Directive relating to links between undertakings and in particular to groups.

<sup>(1)</sup> OJ No L 212, 20. 8. 1977.

<sup>(2)</sup> OJ No C 345, 31. 12. 1981, p. 5.

**WRITTEN QUESTION No 1968/82**

by Mr Yves Galland (L – F)

to the Foreign Ministers of the 10 Member States of the European Community meeting in political cooperation

(18 January 1983)

*Subject:* Use of chemical and biological weapons in Afghanistan by the USSR

American experts claim to have proof that the Soviet Union is making regular use of chemical and biological weapons against Afghan rebels and in Cambodia and Laos. If this is so, the USSR is violating both the 1925 Treaty of Geneva prohibiting the use of chemical weapons and the 1972 Convention on biological weapons.

Despite denials by Moscow, do the Foreign Ministers intend to make representations to the international authorities for either delegations or a committee of enquiry to be sent to these countries in order to shed light on these accusations?

**Answer**

(24 May 1983)

With deep concern the Ten have taken note of reports on the use of chemical weapons, including mycotoxin weapons, in Laos, Cambodia and Afghanistan over the last few years.

The 1972 Biological Weapons Convention prohibits the development, production and stockpiling of toxin weapons. Use of such weapons by a State party would, if proved, be evidence that a breach of the Convention had occurred. Likewise such use could constitute a violation of the Geneva Protocol of 1925. Unfortunately both of the aforementioned Agreements lack an effective verification mechanism.

The Ten have repeatedly voiced their concern and sought the establishment in 1980 of a United Nations group of experts to conduct investigations. This group, composed of experts from Egypt, Kenya, Peru and the Philippines, presented its findings to the 37th General Assembly of the United Nations. The investigations were carried out under particularly difficult circumstances, as the group was denied access to the relevant regions. Nevertheless, the group, while not being able to prove that chemical weapons had been used, found circumstantial evidence of such use. The Ten welcomed the decision of the 37th United Nations General Assembly to ask the Secretary-General to establish the means to conduct further investigation.

By working out appropriate, non-discriminatory and effective verification measures, the Ten will continue their efforts for the adoption of international procedures

to verify compliance with the two aforementioned conventions and they will renew their support for the initiatives tabled by France and Sweden and contained in the UN General Assembly Resolutions 37/98 C and D.

Moreover, the Ten consider it a matter of the highest priority to reach agreement on a total ban on chemical weapons, including effective and reliable rules to guarantee strict compliance, as soon as possible within the Geneva Committee on disarmament.

**WRITTEN QUESTION No 1981/82**

by Mr Sean Flanagan (DEP – IRL)

to the Commission of the European Communities

(24 January 1983)

*Subject:* Community aid for methane conversion in Dublin

Would the Commission be prepared to provide aid from Community sources, if an application were made from the relevant department in Ireland for the conversion of a treatment system which could be used to generate almost £ 1 million worth of methane gas each year from Dublin's sewage sludge, thereby helping to reduce Ireland's dependence on imported energy and, from an environmental aspect, reducing by up to 40 % the final amount of sludge solids dumped at sea?

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

(19 April 1983)

The project mentioned by the Honourable Member could be considered for Community aid from the following sources:

- financial support for demonstration projects in the field of energy saving under proposed Commission Regulation <sup>(1)</sup> and on condition that this Regulation be adopted by the Council on the basis of the 1983 budget. An invitation to submit project proposals in the field of energy saving has just been published <sup>(2)</sup>;
- in the framework of the European Regional Development Fund (ERDF) <sup>(3)</sup>, the Commission can grant aid to infrastructure projects which are already being financed in whole or in part by public authorities in the country concerned;
- loans can be granted by the European Investment Bank (EIB) or in the framework of the New

Community Instrument (NCI) both for infrastructure projects and projects promoting the rational use of energy;

- projects of the kind might be included by the relevant Irish Government Department among those priority areas for which a 3 % interest rebate is sought in the framework of the European monetary system (EMS) Regulation (4).

(1) Doc. COM(82) 458 final, OJ No C 227, 1. 9. 1982, p. 2.

(2) OJ No C 86, 28. 3. 1983.

(3) Council Regulation (EEC) No 3325/80, 16. 12. 1980; OJ No L 349, 23. 12. 1980.

(4) Council Regulation (EEC) No 1736/79, 3. 8. 1979; OJ No L 200, 8. 8. 1979.

in France, the monopoly relates to the carriage of letters, packages and papers not exceeding 1 kg;

in Italy, the monopoly relates to letters and packages not exceeding 2 kg. The monopoly also covers the carriage of parcels not exceeding 20 kg;

in Ireland, the State has a total monopoly on the carriage of letters, regardless of their weight;

in Luxembourg, the monopoly is restricted to the carriage of letters not exceeding 2 kg;

in the Netherlands, the monopoly is extremely restricted and only relates to letters up to 500 g. There are exceptions even to this rule;

in the United Kingdom, the monopoly concerns personal or current correspondence, regardless of the weight of the letter. The monopoly can be waived where necessary and exceptions are also allowed for.

Since the various monopolies are restricted as indicated above, State and private services compete for all other mail distribution operations.

#### WRITTEN QUESTION No 2000/82

by Mr Pierre-Bernard Cousté (DEP – F)

to the Commission of the European Communities

(24 January 1983)

*Subject:* Postal services in the Member States

Can the Commission state which system is employed in each of the Member States for the distribution of mail:

- State monopoly,
- private service,
- State service and private service operating in parallel?

Is it in a position to compare the different systems and draw conclusions?

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

(22 April 1983)

Since the Commission does not have the necessary documentation, it cannot give a full answer to the Honourable Member's question on the system used for mail distribution in the individual Member States. It can, however, provide the following information:

in Belgium, the monopoly applies only to current and personal correspondence weighing not more than 2 kg;

in the Federal Republic of Germany, the monopoly is limited to personal, written messages weighing not more than 1 kg;

in Denmark, the monopoly relates to the distribution of letters and postcards and the distribution of all objects of a professional or commercial nature regardless of their weight;

#### WRITTEN QUESTION No 2023/82

by Mr Eric Forth (ED – GB)

to the Commission of the European Communities

(24 January 1983)

*Subject:* Community steel industry

Can the Commission state:

1. The steel production capacity and steel sector employment of each steel-producing Member State in July 1979 and July 1982?
2. The latest total of steel imports by each Member State:
  - (i) from other Member States;
  - (ii) from non-Community countries?
3. Whether it is satisfied that all Regulations relating to steel imports and intra-Community trade are being rigorously observed?

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

(11 April 1983)

1 and 2. In view of the length of its answer, which includes a number of tables, the Commission is sending it

direct to the Honourable Member and to Parliament's Secretariat.

3. . It seems somewhat unlikely, given the present highly competitive state of the world steel market, that the Regulations pertaining to imports are rigidly respected by all third countries who export steel to the Community.

However, as has always been its practice in the past, the Commission has no compunction in taking the appropriate action if any third country breaches the import Regulations.

On the whole, the Commission is satisfied to date, about the cooperation with the majority of third countries.

The internal Community trade is governed by the principle of free circulation of merchandise. The Commission monitors this trade in order to ensure that this principle is respected by all Member States.

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**WRITTEN QUESTION No 2039/82**

by Mr Robert Moreland (ED - GB)  
to the Commission of the European Communities  
(28 January 1983)

*Subject:* Origin marking

Is the Commission concerned that the marking of much imported cutlery still makes such claims as 'Made in Sheffield'.

In the interest of consumer protection, does the Commission intend to take steps to ensure that a Community system of indelible origin marking is applied to stainless steel and silver cutlery? If not, why not?

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

(6 April 1983)

The Commission would remind the Honourable Member of its reply to his previous Written Question No 1409/80 in which it referred to its proposal for a Directive concerning misleading and unfair advertising<sup>(1)</sup> as a means for affording protection against false or misleading indications of origin. The Council is still examining this proposal.

The Commission has also made a proposal in December 1981 for a Council Regulation on the indication of the origin of certain imported textile products<sup>(2)</sup>. As has already been indicated in the reply to Written Question No 1187/81 by Mr Forth<sup>(3)</sup>, the Commission does not intend to extend this requirement to other products. It considers that the Community's commercial policy for textiles and the extent to which textile and clothing

products are traded within the Community create a set of circumstances which is peculiar to textiles and clothing; its proposal should be seen in this context.

As for compulsory origin marking of products which are not already marked, the Commission would recall that the Court of Justice has already stated, in relation to souvenir jewellery, that consumers would be adequately protected if it were left to domestic manufacturers to mark their products (Case 113/80, Commission v. Ireland, paragraph 16 of the judgment of 17 June 1981).

<sup>(1)</sup> OJ No C 70, 21. 3. 1978.

<sup>(2)</sup> OJ No C 93, 14. 4. 1982.

<sup>(3)</sup> OJ No C 12, 18. 1. 1982.

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**WRITTEN QUESTION No 2043/82**

by Mr Willy Vernimmen (S - B)  
to the Council of the European Communities  
(28 January 1983)

*Subject:* Persecution of trade union leaders and democratic politicians in Turkey

Trade union leaders and democratic politicians in Turkey are still being subjected to persecution. Increasingly, censorship is now also being imposed on the press, even the very moderate press. Such a policy of increasingly severe repression of basic democratic rights should surely influence relations between Turkey and the EEC.

How does the Council intend to react to this new development in Turkey, in particular within the framework of the association agreement?

**Answer**

(11 May 1983)

The Council continues to follow developments in the situation in Turkey with the greatest interest, particularly as regards the trade union leaders and politicians referred to by the Honourable Member. In this context, it continues to attach special importance to respect for human rights and to the restoration of democratic institutions as speedily as possible.

The Council has not deemed it possible so far to alter its attitude with regard to the resumption of financial cooperation between the Community and Turkey.

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**WRITTEN QUESTION No 2060/82**

by Mrs Anne-Marie Lizin (S – B)

to the Commission of the European Communities

(28 January 1983)

*Subject:* Zinc cartel and re-opening of new capacity; request from the EEC to the Walloon region for information about Prayon

1. Could the Commission confirm that it is currently studying a notification of a closure cartel among the main zinc-producing companies in the Community?

— What reduction in capacity is covered by this cartel?

— How are these reductions distributed between the various Member States?

2. Which Article of the EEC Treaty and what legal arguments does the Commission plan to invoke as grounds for authorizing such a cartel?

3. In such an event, is the re-opening of new capacity with public participation likely to be agreed to, and on what terms?

4. In its request to the Walloon regions for information about Prayon, the Commission alludes to the difficulties faced by the sector and the serious risk of surplus production capacity. Has it now defined an industrial policy on zinc, or is it guided in that area by the articles on competition?

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

(21 April 1983)

1 and 2. Yes. Proposals aimed at reducing the zinc smelting capacity in the Community have been submitted to the Commission by a number of Community zinc producers in accordance with Regulation No 17/62 of the Council <sup>(1)</sup> and are currently being examined under the competition rules of the EEC Treaty, in particular the provisions of Article 85, paragraph 3.

The Commission's policy not to comment publicly on pending cases prevents it from responding to any further specific questions on this matter.

3 and 4. The question as to whether national authorities intend to use public funds to re-open refining capacities in this sector could present a problem under the competition rules of the EEC Treaty relating to aids granted by the Member States, notably Article 92. It is the Commission's constant policy to be very restrictive in

authorizing State aids to sectors which are facing over-capacity on a Community level.

In this context, the request for information referred to by the Honourable Member has been addressed to the Belgian authorities under Article 93, paragraph 3 of the EEC Treaty, in order to enable the Commission to determine whether possible plans to re-open the Prayon refinery with the aid of public funds are in line with the EEC Treaty provisions relating to such State aids.

<sup>(1)</sup> Council Regulation (EEC) No 17 of 6 February 1962, OJ No 13, 21. 2. 1962, p. 207.

**WRITTEN QUESTION No 2062/82**

by Mrs Yvonne Théobald-Paoli (S – F)

to the Commission of the European Communities

(28 January 1983)

*Subject:* Attitude of the Commission to the possible future development of tidal power in the Community

Following the revival of interest in certain countries, including the Soviet Union, in tidal power, could the Commission state its current attitude to the possible future development of that energy source in the Community?

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

(18 March 1983)

The Commission has already had occasion to state its position on tidal power-stations in its answer to Written Question No 404/73 by Mr Kater and Mr Muller <sup>(1)</sup>. Major studies have been carried out since 1973, particularly in the United Kingdom. These have shown that the cost/benefit ratio is generally less favourable for tidal stations than for conventional thermal stations and – more especially – nuclear stations.

The Commission considers that tidal power-station projects should not only be viewed from the energy angle: other factors, such as the possible shortening of road links, harbour protection and effects on employment, the regional economic and the environment, should also be taken into consideration in a full and proper assessment

of any project. Studies of the most promising sites in the Community should continue along these lines.

(<sup>1</sup>) OJ No C 39, 6. 4. 1974.

**WRITTEN QUESTION No 2067/82**

**by Mr Luc Beyer de Ryke (L - B)**

**to the Commission of the European Communities**

*(28 January 1983)*

*Subject: VAT increases in Belgium*

On 16 November 1982 the Belgian Government passed a series of special decrees increasing VAT rates in various sectors of the economy.

These measures increase the number of VAT rates in force in Belgium and make it difficult for consumers to know which rate is applied to which product.

What is the Commission's attitude as regards consumer protection and information on the VAT rates applied in Community countries?

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

*(27 April 1983)*

While the Commission understands the Honourable Member's concern, it considers that consumer protection is not really jeopardized by the existence of different VAT rates within a single Member State, since most competing products (e.g. all foodstuffs) are subject to the same VAT rate.

The Commission periodically produces an inventory of the taxes applied in Member States, which shows all the VAT rates. It is published by the Office for Official Publications of the European Communities.

The Commission would point out that the Sixth Directive on the harmonization of the laws of the Member States relating to turnover taxes (<sup>1</sup>) does not provide for the harmonization of rates. The Member States are therefore free to fix the rates, pending their subsequent harmonization, provided that they comply with Article 95 of the EEC Treaty and Article 12 of the Directive.

(<sup>1</sup>) OJ No L 145, 13. 4. 1977.

**WRITTEN QUESTION No 2081/82**

**by Mr Pol Marck (PPE - B)**

**to the Commission of the European Communities**

*(1 February 1983)*

*Subject: More comprehensive legislation on veterinary science*

Having regard to the need to ensure:

- the protection of public health,
- the protection of animal health,
- free and unimpeded trade in animals and animal products,

can the Commission state what Community legislation currently applies, to what extent national provisions have been harmonized and what obstacles remain to be overcome?

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

*(25 April 1983)*

With a view to the achievement of the objectives entailed by the establishment of a common market, legislation on veterinary matters has been developed in the light of the need to liberalize the major trade flows. This has meant the introduction of harmonized rules on trade. The first measures were the adoption of a Directive on trade in cattle and pigs and Directives on trade in fresh meat of ruminants, pigs and domestic solipeds (public health and animal health regulations). Supplementing the rules on intra-Community trade, a Directive concerning imports of these animals and products from non-member countries entered into force during the same period.

With regard to meat, Directives on intra-Community trade in meat products (public health and animal health) and a Directive on trade in fresh poultrymeat were also adopted. The latter Directive applies to internal national trade as well as to intra-Community trade, but for the other sectors the production of the Member States for their own markets has not yet been harmonized.

However, the principle of ensuring proper protection of public and animal health by inspection at production level (herd of origin of region of origin or live animals; slaughterhouses, cutting rooms for processing factories for public health) so that further inspections are not necessary has gradually led the Member States to adapt their national legislation. For example, with regard to animal health, disease prevention programmes have been

established to enable producers to reach health protection levels needed for trade. Some of these programmes have been harmonized with financial contributions from the Community designed to speed up the eradication of contagious diseases important for consumer protection or for animal husbandry (tuberculosis, brucellosis, leukosis, swine fever).

It is a fact that many areas of livestock production have not yet been harmonized. In addition, current rules must be adapted to technical developments or to changes in the health situation in the Community and in non-member countries. Some difficulties are unsolved. With regard to public health, major problems relating to the control of the use of hormones, to residues, to microbiological inspection, etc., and to the cost of health inspections, call for Community solutions; in the area of animal health, the same applies for foot-and-mouth disease.

It has put forward a proposal for a Directive on toxic and dangerous waste (78/319/EEC) <sup>(1)</sup>, which the Council adopted on 20 March 1978, and a proposal for a Directive on containers of liquids for human consumption <sup>(2)</sup>.

Directive 78/319/EEC does not yet cover waste from medicinal products and their packaging. It is proposed that this gap be filled in the not too distant future. Nevertheless, preliminary studies and discussions have shown that this is an extremely complex problem that cannot, for the present, be solved by the few staff available.

<sup>(1)</sup> OJ No L 84, 31. 3. 1978, p. 43.

<sup>(2)</sup> OJ No C 204, 13. 8. 1981, p. 6.

**WRITTEN QUESTION No 2094/82**  
by Mr Horst Seefeld (S-D)  
to the Commission of the European Communities  
(1 February 1983)

*Subject:* Packaging of medicines

To an increasing extent, aluminium is being used as a component in the packaging of tablets. Once the tablets have been taken the packaging foil is discarded and ends up on the refuse tip. As a result, aluminium is being destroyed unnecessarily and additional harmful substances are deposited on refuse tips.

What measures could be taken to ensure that medicines are marketed in non-polluting packaging which also economizes on raw material?

**Answer given by Mr Narjes**  
**on behalf of the Commission**  
(26 April 1983)

The Commission is fully aware of the problem of waste from medicines and their packaging.

**WRITTEN QUESTION No 2095/82**  
by Mr Robert Moreland (ED-GB)  
to the Commission of the European Communities  
(1 February 1983)

*Subject:* Directive on smoke and sulphur dioxide

In answer to my Written Question No 817/82 <sup>(1)</sup> the Commission stated that, in accordance with Article 3 (2) of Directive 80/779/EEC <sup>(2)</sup>, Member States were to inform the Commission by 1 October 1982 of zones in which the limit values of Annex I might be exceeded after 1 April 1983.

Will the Commission now say:

- (1) what information it has received from each Member State in accordance with the provisions of the above Directive;
- (2) whether it is satisfied with the extent of the information received from the Member States and, if not, what action it intends to take;
- (3) if it can yet assess what changes will have to be made in the UK to comply with the Directive and which regions will be most affected?

<sup>(1)</sup> OJ No C 259, 4. 10. 1982, p. 27.

<sup>(2)</sup> OJ No L 229, 30. 8. 1980, p. 30.



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

(12 April 1983)

1. The following Member States have notified the Commission that the limit values of Annex I are likely to be approached or exceeded in certain zones (as of 15 February 1983):

Member States	Zones
FRANCE	Agglomération parisienne, Lens, Dunkerque, agglomération de Creil, Carlin, agglomération de Strasbourg, Thann, agglomération de Montbéliard, agglomération lyonnaise, agglomération grenobloise, région de Fos l'Etang-de-Berre, agglomération marseillaise, Viviez, Lacq, zone de Chevire-Donges, agglomération rouennaise, zone du Havre
FEDERAL REPUBLIC OF GERMANY	Berlin (West)
IRELAND	Dublin
ITALY	<i>Regione Veneto</i> Arzignano, Bassano del Grappa, Belluno, Castelfranco Veneto, Chioggia, Conegliano, Legnago, Mira, Montebelluna, Montebelluna, Padova, Porto Tolle, Rovigo S. Donà di Piave, Schio, Treviso, Valdagno, Venezia, Verona, Vicenza, Vittorio Veneto <i>Regione Lombardia</i> Abbiategrosso, Arcore, Bareggio, Biassono, Bollate, Bovisio M., Bresso, Brugherio, Busto Garolfo, Canegrate, Cassano d'Adda, Cernusco S/N, Cerro Maggiore, Cesano Maderno, Cesate, Cinisello Balsamo, Cologno M., Concorezzo, Corbetta, Cormano, Coraredo, Cornate d'Adda, Cuggiono, Cusano M., Desio, Carbagrate, Gorgonzola, Inveruno, Lainate, Legnano, Limbiate Lissone, Lodi, Magenta, Meda, Melgnao, Melzo, Milano, Monza, Muggiò, Nerviano, Nova, Milanese, Novate Milanese, Paderno D., Parabiago, Pioltello, Rescaldina, Rho, Rozzano, S. Giuliano M., Segrate, Senago, Seregno, Sesto S.G., Seveso, Solaro, Tribiano, Veduggio, Vimodrone, Vittuone
LUXEMBOURG	Colmar-Berg, Contern
UNITED KINGDOM	Allerdale, Barnsley, Bassetlan, Blyth Valley, Bolsover, Bradford, Cannock Chase, Chesterfield, Copeland, Crewe and Nantwich, Doncaster, Kirklees, Mansfield, Newark, Newcastle under Lyne, Nottingham, Rotherham, Staffordshire moorlands, Sunderland, Wakefield, Wansbeck, Cunninghame, Falkirk, Glasgow, Strathkelvin, Belfast, Londonderry, Newry

2. In a number of cases the Commission is not satisfied with the notifications received from Member States and will seek supplementary information and ask, in particular, for the plans for the progressive improvement of the quality of the air in these regions to be established as soon as possible and communicated to it. The Commission assumes that in cases where Member States have not forwarded information about zones where the limit values of Annex I might be exceeded, this is because no such zones exist. However, the Commission will ask these Member States to confirm this officially.

3. The United Kingdom has informed the Commission that the local authorities will introduce additional smoke control programmes in order to ensure that the limit values of the Directive will be met by 1993 at the latest.

Furthermore, the UK legislation includes provisions empowering central government to require local authorities to introduce smoke control if necessary.

Until it has been informed of the plans for progressive improvement of air quality in the critical zones, the Commission is not in a position to assess what changes will have to be made in the UK to comply with the Directive.

As soon as the information becomes available the Commission will inform the Honorable Member thereof.

**WRITTEN QUESTION No 2098/82**  
**by Mrs Marijke van Hemeldonck (S - B)**  
**to the Council of the European Communities**  
*(2 February 1983)*

*Subject:* Use of recycled paper

In view of the Council's answer to a question on paper recycling (H-650/82) <sup>(1)</sup>, can the Council specify why it has decided not to use recycled paper for its publications, internal documentation or photocopying?

<sup>(1)</sup> Debates of the European Parliament, 12. 1. 1983 (provisional edition)

**Answer**  
*(11 May 1983)*

The Council's publications are generally undertaken by the Publications Office of the Communities.

As far as documents are concerned, the General Secretariat of the Council is perfectly willing to use recycled paper wherever possible. However, it should be pointed out that up to now the use of such paper in the high-performance equipment used by the General Secretariat has posed a number of technical problems. The General Secretariat will nevertheless continue to seek a satisfactory solution to these problems.

It would also draw the attention of the Honourable Member to the fact that it intends that, where appropriate, recycled paper should be used in future for work to be done during meetings of Council bodies.

**WRITTEN QUESTION No 2115/82**  
**by Mr Isidor Fröh (PPE - D)**  
**to the Commission of the European Communities**  
*(7 February 1983)*

*Subject:* Submission of Commission proposals on structural improvements in agriculture

Directives 72/159/EEC <sup>(1)</sup>, 72/160/EEC <sup>(2)</sup> and 72/161/EEC <sup>(3)</sup>, which were due to expire in April 1983 have been extended to 31 December 1983 by decision of the Council of Ministers. In order to allow for thorough discussion of the new Directives in Parliament and in the Council, particularly in view of the severe economic and unemployment situation, it is imperative that they be

submitted in due time. I would therefore ask the Commission:

1. Why has the Commission not yet submitted the new proposals for the Directives?
2. What is the latest date on which the Commission intends to submit its proposals to allow sufficient time for discussion in Parliament and the Council of Ministers and to ensure that the new Directives enter into force on schedule?

<sup>(1)</sup> OJ No L 96, 23. 4. 1972, p. 1.

<sup>(2)</sup> OJ No L 96, 23. 4. 1972, p. 9.

<sup>(3)</sup> OJ No L 96, 23. 4. 1972, p. 15.

**Answer given by Mr Dalsager**  
**on behalf of the Commission**  
*(29 April 1983)*

1. The Commission attaches especial importance to the socio-structural policy in agriculture, and it is determined to continue its action to reinforce it, without ignoring those constraints imposed by the general economic situation and those specific to the different agricultural markets.

Thus the Commission is currently analyzing the results of the policy followed so far in order to work out, in the light of the present situation and its likely development, the proposals it will put to the Council concerning a new farm structures policy.

2. The Commission intends to submit these proposals in the very near future.

**WRITTEN QUESTION No 2127/82**  
**by Mr David Curry (ED - GB)**  
**to the Commission of the European Communities**  
*(7 February 1983)*

*Subject:* Import and use of lupins and peas and beans for animal feeding

Further to my Written Question No 1576/82 <sup>(1)</sup>, could the Commission provide the following supplementary information for the years 1978, 1979, 1980 and 1981:

- (1) What quantities of lupin seed were imported into the EEC for use as animal feed?
- (2) What were the major countries of origin of this lupin seed?
- (3) How much of this lupin seed was incorporated into compound feedstuffs?

- (4) What were the quantities of peas and beans incorporated into compound feedstuffs in the EEC, split by:
- imported peas and beans;
  - Community-grown peas and beans?

(<sup>1</sup>) OJ No C 73, 17. 3. 1983, p. 9.

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

(27 April 1983)

1. According to the Community's trade statistics (NIMEXE), the following quantities of lupin seed were imported into the EEC:

Year	Tonnes
1978	8 150
1979	16 184
1980	5 326
1981	16 460
Jan. - Sept. 1982	52 128

Trade sources estimate that the total figure for 1982 will be approximately 70 000 to 75 000 tonnes. They also expect a further import of 70 000 tonnes in 1983.

2. The vast majority (more than 90%) of these imports come from Australia, with limited quantities from South Africa.

3. Virtually all of this lupin seed was incorporated into compound feedstuffs.

4. The incorporation of Community grown peas and beans into compound feedstuffs covered by the aid regime for peas and beans was:

Marketing year	Tonnes
1978/79	165 000
1979/80	270 000
1980/81	332 000
1981/82	352 000

The Commission estimates that for 1982/83, the quantities incorporated will be approximately 450 000 tonnes.

For imported peas and beans incorporated into compound feedstuffs in the EEC, no accurate figures exist because Community trade statistics do not go into this detail. On the basis of information from Member States, the Commission estimates that for 1979, 1980 and 1981, the quantity of peas and beans imported for animal feed was between 70 000 and 80 000 tonnes per year. Of this quantity, professional sources consider that 45 000 to 55 000 tonnes per year were probably incorporated into compound feedstuffs.

**WRITTEN QUESTION No 2131/82**

by Mr Klaus Hänsch (S - D)

to the Commission of the European Communities

(7 February 1983)

*Subject:* Commission holidays

According to reports which appeared on 4 January 1983 in the *Westdeutsche Allgemeine Zeitung (WAZ)*, the largest regional newspaper in Germany, a legal loophole was created between 1 and 4 January 1983 with respect to Community waters or 'a legal hiatus as a spokesman for the Commission admitted'. This legal loophole came into being, according to the *WAZ*, because the Commission was unable to approve the planned 'national' catch arrangements, given that 'under a tradition sacrosanct since the beginnings of the Community . . . the Brussels office blocks housing Community officials were empty from 23 December of 3 January'.

- Is it true that on 30 and 31 December the Commission was unable to approve national catch arrangements partly because the competent officials were absent on leave?
- Is it true, as claimed by the *WAZ* that as a general rule all Commission officials are on leave between 23 December and 3 January?
- Should the answers to questions 1 and/or 2 be affirmative: does the Commission agree with me and the *WAZ* that this type of practice is incompatible with the responsibilities of the Brussels executive and scarcely accords with the Commission's calls for greater responsibility to be transferred to the Community?
- In the event of the assertions referred to under 1 and/or 2 being incorrect: what can the Commission do to rectify such erroneous reports which damage both its image and that of the Community as a whole?

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

(20 April 1983)

- No. On public holidays and at weekends the Commission always maintains emergency cover. Between 27 and 31 December a reduced service was operating in all the various departments. As regards the Directorate-General for Fisheries, some 20 officials were present during this period. These officials, some of whom had cancelled their leave arrangements for the purpose, were engaged in an examination of the national fishery measures proposed by Member States which had been submitted to the Commission for approval. In this connection, several communications were sent to Member States on the days in question.

2. No. Most Commission officials are entitled to leave over the Christmas period but as stated above, reduced services are always maintained.

3. Not applicable.

4. Through its Spokesman's Group, External Offices and Directorate-General for Information, the Commission does, when it is deemed necessary and within the limits of feasibility, take steps to rectify erroneous or inaccurate reports.

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**WRITTEN QUESTION No 2159/82**

**by Mr Rudolf Wedekind (PPE - D)**

**to the Commission of the European Communities**

*(10 February 1983)*

*Subject:* Procedure for the refund of value added tax paid abroad

What steps has the Commission taken or what steps does it intend to take to simplify the procedure for the refund of value added tax already paid abroad?

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

*(4 March 1983)*

The information the Honourable Member is looking for is to be found in the eighth VAT Directive (79/1072/EEC) of 6 December 1979 <sup>(1)</sup>. The Directive is now applied in all Member States with the exception of Greece, where VAT has not yet been introduced under tax legislation.

<sup>(1)</sup> OJ No L 331, 27. 12. 1979.

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**WRITTEN QUESTION No 2160/82**

**by Mr Rudolf Wedekind (PPE - D)**

**to the Commission of the European Communities**

*(1 February 1983)*

*Subject:* Harmonization of foreign trade statistics

What possibilities does the Commission see for greater harmonization of foreign trade statistics, particularly as regards key indicators and the product reference numbers used for statistical purposes?

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

*(27 April 1983)*

The Commission has been working on the harmonization of external trade statistics for 20 years or more. Considerable results have been achieved, which have found expression in Council Regulations, the main ones being:

Regulation (EEC) No 1445/72, introducing the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE) and setting up a committee to administer the nomenclature <sup>(1)</sup>;

Regulation (EEC) No 3065/75 <sup>(2)</sup>, making NIMEXE entirely binding upon the Member States, and

Regulation (EEC) No 1736/75 <sup>(3)</sup>, establishing standard rules, binding on the Member States, for definitions, methods, compilation, nomenclature and publication of the results together with the relevant management committee.

Since their inception, the committees referred to have drawn up further rules on harmonization, which have become obligatory in all Member States in the form of Regulations.

The elements and nomenclature headings for goods used in external trade statistics of the Community and statistics of trade between Member States, published by the Statistical Office of the European Communities, can therefore be considered as harmonized. It is only for certain special movements of goods such as ships and aircraft, mineral oils and products of their distillation and goods put up for sale in sets, that no statistical harmonization rules have yet been adopted, since these depend partly on the progress made on harmonization in other spheres (customs, taxation and so on).

The existence of the Regulations referred to does not mean that the Member States may not adopt additional elements and nomenclature headings for their own foreign trade results outside the framework of Community statistics. Such elements and nomenclature headings have not of course been harmonized and, in many instances, it would be difficult to do so. The Commission hopes that its initiative aimed at strengthening the internal market will lead, at least as far as statistics on intra-Community trade are concerned, to the harmonization or elimination of these national elements and nomenclature headings referred to above. To this end it has presented to the Council a proposal for a Regulation <sup>(4)</sup> laying down certain measures for the

standardization and simplification of statistics of trade between Member States.

(<sup>1</sup>) OJ No L 161, 17. 7. 1972, p. 1.

(<sup>2</sup>) OJ No L 307, 27. 11. 1975, p. 1.

(<sup>3</sup>) OJ No L 183, 14. 7. 1975, p. 3.

(<sup>4</sup>) OJ No C 21, 26. 1. 1983, p. 4.

**WRITTEN QUESTION No 2161/82**

**by Mr Rudolf Wedekind (PPE - D)**

**to the Commission of the European Communities**

(10 February 1983)

*Subject:* Difficulties in trade between Germany and France

German manufacturers are increasingly reluctant to buy semi-manufactured products from France in view of the difficulties they encounter in exporting their goods to France. Is the Commission aware of these difficulties and what possibilities does it see for eliminating them?

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

(20 April 1983)

The Commission is alive to the threat to intra-Community trade arising from national provisions which obstruct trade between the Member States. It is also keenly aware of the potential risks that retaliatory measures will be taken.

However, it has no knowledge of cases where German manufacturers are refusing to buy semi-manufactured products from France because of the difficulties they encounter in exporting their goods to France and would welcome more specific information on such cases.

**WRITTEN QUESTION No 2165/82**

**by Mr Allan Rogers (S - GB)**

**to the Commission of the European Communities**

(10 February 1983)

*Subject:* Inmos micro-electronics company

1. Will the Commission give details of grants and loans made to the Inmos Company at Newport, Gwent, S. Wales, UK from the ERDF, the ESF, the ECSC and the European Investment Bank?

2. Is the Commission aware that during recent weeks the Inmos Company has decided to concentrate its most profitable production in America i.e. the 16 K static RAM - a memory silicon chip?

3. Is the Commission aware that the Inmos Company promised to employ some 2 500 people by the end of 1983, instead of which it will only employ some 650 persons?

4. Is the Commission aware that grants allocated to the UK project have gone to building up the American operation in Colorado Springs, USA?

5. Will the Commission investigate the operations of the Inmos Company and ensure that grants and loans made available by the EEC to them have and will be used in its UK plant?

6. Has the Commission any authority to demand the repayment of grants and preferential loans that are not used for those purposes for which application was originally made?

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

(29 April 1983)

1. In 1982 the Inmos Ltd silicon water fabrication plant at Newport, Wales, has benefited from Community assistance by means of a grant of UK £ 3 441 600 from the European Regional Development Fund and a loan payment of UK £ 5 000 000 at a reduced interest rate under Article 56 of the ECSC Treaty.

An accelerated payment of UK £ 2 538 036 from the Regional Fund was made on 9 February 1983.

As far as the European Social Fund is concerned, the professional training project linked to the establishment of the Inmos micro-electronics company in Wales is included in the Department of Industry's application for assistance (in-plant training scheme).

The training of 837 people over three years is envisaged for a total sum of UK £ 1 771 000, of which 80 % (UK £ 1 416 800) is to be borne jointly by the public authorities and the Social Fund, the Fund's contribution being UK £ 708 400. This application was approved in 1982.

2. The Commission has not been informed of this. It is the Commission's understanding that both 16 K static RAM and the 64 K dynamic RAM microchips were to be produced at Newport, but that the production of these would continue in the Inmos plant at Colorado Springs, USA, where they were developed, until sufficient volume production was reached in the Newport plant.

Whilst the market of 16 K static RAM chips has few competitors, it nevertheless is a limited one. At present prices of all types of memory microchips are depressed.

3. According to the information provided to the Commission by Inmos Ltd, the project which received the Article 56 of the ECSC Treaty loan is expected to create 1 000 new job opportunities by 1984, of which 463 will be suitable for redundant ECSC workers.

4. As is the case with all applications to the European Regional Development Fund this application was submitted by the UK Government, as were the applications for the Article 56 of the ECSC Treaty loan and for ESF assistance. The Commission has no reason to suppose that these aids have been used other than for the purposes described in the application.

5. ERDF: Under Article 9 (3) of the ERDF Regulation, the Commission can require Member States to carry out on-the-spot checks of operations financed by the Fund, in which proceedings officials of the Commission may take part. The Inmos Ltd project at Newport, Gwent will be considered for inclusion in a forthcoming on-the-spot check of ERDF aided projects to be carried out in Wales.

ECSC: Chapter III of the Operating policies for granting conversion loans under Article 56 of the ECSC Treaty <sup>(1)</sup> requires the borrowers to submit periodic progress reports on the carrying out of the investments and the creation of jobs. The projects are subject to on-the-spot checks by Commission officials on a selective basis to ensure conformity with the plans established for the carrying out of the investments.

The Social Fund contribution will only be paid on presentation of documentary evidence as to the cost and location of the project and documentary evidence that the rules and guidelines governing the Fund have been respected.

6. The Commission is empowered to require the repayment of these subsidies and loans by virtue of the principle of recovery of undue payments which exists in Community law.

<sup>(1)</sup> OJ No C 178, 27. 7. 1977 and OJ No C 82, 29. 3. 1979.

**WRITTEN QUESTION No 2168/82**  
by Mr Alfredo Diana (PPE - I)  
to the Commission of the European Communities  
(10 February 1983)

*Subject:* Problems concerning imports of mushrooms into the Community

Having regard to the Community's high production of mushrooms which amounts to some 450 000 tonnes;

Whereas, in order to meet demand, substantial imports of mushrooms are necessary which occasionally leads to serious problems in view of the wide range of customs headings under which this product is currently classified;

Whereas the Commission periodically makes provisions to reduce the problems caused by these imports; whereas, however, these provisions are often applied too late and do not provide a permanent solution to the problems outlined above;

Does the Commission

- (a) not consider it appropriate to review the regulations in the mushrooms sector, in particular by grouping together all the customs headings under which the product can be classified to form a single customs heading, possibly with appropriate subheadings; this would help to ensure that cultivated mushrooms preserved in vinegar or acetic acid (subheading 20.01.801) and those preserved in brine or sulphur water (subheading 07.03.610) are treated in the same way as cultivated mushrooms preserved in their natural state (subheading 20.02.101) to make marketing procedures more coherent and integrated;
- (b) not intend to revise the criteria used in allocating to Italy a quota of 1 770 tonnes of pickled mushrooms which represents 50 % of the quota laid down in Régulation (EEC) No 3348/82 and will create considerable difficulties for Italian mushroom growers who regard this quota as excessive?

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

(20 April 1983)

The Commission has adopted protective measures limiting imports of mushrooms in brine and vinegar into the Community in order to prevent disturbances on the Community market in mushrooms. These measures are contained in Regulations (EEC) No 818/80 of 1 April 1980 <sup>(1)</sup> and (EEC) No 2390/81 of 19 August 1981 <sup>(2)</sup>. As regards revision of the rules in the mushroom sector, the Commission must report to the Council at the end of 1983 on the functioning of the arrangements introduced

by Regulation (EEC) No 1796/81 of 30 June 1981 <sup>(3)</sup> on measures applicable to imports of preserved cultivated mushrooms. The problems relating to other categories of prepared mushrooms will also be studied on that occasion, in order to determine, in the light of an overall assessment of the situation, whether the Community legislation in force is still appropriate or whether some adjustments are necessary.

In Commission Regulation (EEC) No 2248/82 <sup>(4)</sup> amending Regulation (EEC) No 818/80 laying down protective measures applicable to imports of cultivated mushrooms in brine the Commission limited the quantities which may be imported into the Community to the average of the quantities of mushrooms in brine imported during the years 1977 and 1978, in order to take account of traditional trade patterns and existing trade links. According to official statistics supplied by the Italian Ministry of Agriculture, imports of mushrooms in brine amounted to 1 240 tonnes in 1977 and 2 300 tonnes in 1978, which explained the average figure of 1 770 tonnes. However, the possibilities are far from having been taken up and the import licences issued indicate that imports of mushrooms in vinegar and brine amounted to 1 250 tonnes in 1982. These imports should not cause great difficulties for Italian mushroom growers.

<sup>(1)</sup> OJ No L 89, 2. 4. 1980, p. 5.

<sup>(2)</sup> OJ No L 234, 20. 8. 1981, p. 15.

<sup>(3)</sup> OJ No L 183, 4. 7. 1982, p. 1.

<sup>(4)</sup> OJ No L 353, 15. 12. 1982, p. 18.

#### WRITTEN QUESTION No 2173/82

by Mr Horst Seefeld (S - D)

to the Commission of the European Communities

(10 February 1983)

*Subject:* Exports of dangerous medicinal products to Third World countries

1. Is the Commission aware of claims that certain medicinal products which are considered too dangerous to be allowed on the market in countries of the European Community are being exported to Third World countries and are such claims justified?

2. If so, what action could the Commission take to prevent exports of such products?

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

(29 April 1983)

1. The Commission is not aware of the export to Third World countries of medicinal products which are banned in the Community on the grounds that they are too dangerous.

Furthermore, it should be noted that certain medicinal products exported to the Third World countries are not usually marketed within the European Community as they are intended for the treatment of diseases which are hardly ever reported in Europe, for instance, tropical diseases.

2. Marketing authorizations are issued, in accordance with Directives 65/65/EEC <sup>(1)</sup>, 75/318/EEC and 75/319/EEC <sup>(2)</sup>, by each of the Member States.

Pursuant to Directive 75/319/EEC, all medicines, including those for export, are subject to manufacturing authorization and inspection. It is therefore up to Third World countries wishing to import a drug produced in the Community to request from the producer country the quality certificate issued for that purpose by the World Health Organization.

<sup>(1)</sup> OJ No 22, 9. 2. 1965.

<sup>(2)</sup> OJ No L 147, 9. 6. 1975.

#### WRITTEN QUESTION No 2181/82

by Mr André Damseaux (L - B)

to the Commission of the European Communities

(10 February 1983)

*Subject:* Textile industry in the Walloon region

Can the Commission state whether the Walloon textile industry has received any Community aid whatsoever in the course of the last five years?

If so, can the Commission state:

- the location of any such project,
- the amount of aid awarded,
- the number of jobs saved or created?

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

(22 April 1983)

The European Social Fund has contributed to operations on behalf of workers in the textiles and clothing sector in Belgium.

This assistance was granted in response to national applications.

Over the 1978–1982 period, operations approved amounted to a total of some Bfrs 177,5 million and concerned about 3 250 people.

The information at present available is not sufficient to enable the Commission to determine what proportion of the assistance is allocated to the textile industry in the Walloon region.

A Walloon firm received assistance under Article 375 of the 1978 budget, 'Community aid for industrial restructuring and conversion operations'. Since only one firm is concerned, details of the aid are confidential.

No other Community assistance was granted to the textile industry in the Walloon region during the abovementioned period.

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**WRITTEN QUESTION No 2183/82**

**by Mr Willy Vernimmen (S – B)**

**to the Council of the European Communities**

*(18 February 1983)*

*Subject:* Community technical and financial aid to Central America

In November 1982 the Council of Foreign Ministers decided to increase the Community's technical and financial aid to Central America (30 million EUA)

Can the Council indicate:

- which countries will benefit, how much they will receive and the criteria for selecting these countries (or for excluding them from receiving aid);
- what practical form this aid will take and whether the trade union associations in these countries will be eligible for aid;
- to whom this aid will be entrusted for local distribution (government, employers, trade unions, farmers organizations, European or local development organizations);
- how the Community organizes local control of this 30 million EUA?

**Answer**

*(11 May 1983)*

When it decided in November 1982 to increase Community financial and technical aid granted in 1982 to Central America, the Council also agreed that this increased aid would be devoted mainly to measures aimed at stepping up agricultural production in the countries

concerned thanks to the existing programmes of agrarian reform.

The implementation of aid programmes for non-associated developing countries, the guidelines for which are established each year by the Council after consulting the Parliament, is a matter for the Commission, which acts in accordance with the provisions of Council Regulation (EEC) No 442/81.

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**WRITTEN QUESTION No 2193/82**

**by Mr Hans-Joachim Seeler (S – D)**

**to the Commission of the European Communities**

*(18 February 1983)*

*Subject:* A 'buy European' campaign

One of the European Community's major goals is the creation of a common market in which there are no obstacles to or restrictions on trade between Member States. The Commission has just adopted a multi-annual programme to extend the Customs Union. Although all the Member States have so far benefited considerably from the common market, there are nonetheless strong protectionist tendencies in a number of Member States aimed at encouraging consumers to buy domestic products instead of imported goods.

Will the Commission therefore say whether it is prepared to combat such protectionist moves by a publicity campaign, particularly through the media in all the Member States, to counter the efforts of certain governments to invoke national patriotism as a means of stimulating industrial production, without regard for the interests of other Member States?

Would the Commission not agree that such a campaign – aimed at consumers, local authorities and producers – would help to prevent the Member States from reverting to a nationalistic way of thinking and to promote awareness of the European Community?

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

*(29 April 1983)*

The Commission entirely shares the Honourable Member's concern about campaigns by the public authorities to encourage the public to buy national goods.

It is for this reason that it took the 'Guaranteed Irish' campaign to the Court of Justice, which upheld the



Commission's views that such campaigns were incompatible with Articles 30 to 36 of the EEC Treaty. Apparently similar campaigns exist in other Member States, although they do not appear to be as general as the 'Guaranteed Irish' campaign. These campaigns are also being investigated.

The Commission is also taking a close interest in the related problems of discriminatory public purchasing and national preference requirements associated with State aids. A number of such cases are currently being investigated, some of which are already pursued under the Article 169 procedure of the EEC Treaty. Several Member States are concerned.

The Commission accepts that some benefits might flow from a campaign of the kind the Honourable Member suggests, and entirely agrees with the reasons he puts forward in favour of his suggestion.

However, the Commission considers that the real solution to the problem is to use the existing provisions of the EEC Treaty to attack all national campaigns which contravene the Treaty. By continuing on the course it has followed so far, the Commission should in fact be able to remove any need for such a campaign as the Honourable Member suggests.

**WRITTEN QUESTION No 2195/82**

**by Mrs Janey Buchan (S - GB)**

**to the Commission of the European Communities**

*(18 February 1983)*

*Subject: Blacklisting*

The *Sunday Standard* newspaper in Scotland recently reported that the European Commission's Edinburgh representative, Stanley Budd, had advised officials of Scottish Television Limited 'I could not allow my people to take part in a programme with Mrs Buchan'.

1. Does this mean that a blacklist of anti-market Members of this Parliament is in operation in the Commission?
2. Will the Commission publish this list?

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

*(20 April 1983)*

1. The official concerned was misquoted.
2. The Commission maintains no 'blacklist' of Members of the European Parliament.

## COMMUNITY LAW

### Offprint from the Fifteenth General Report on the Activities of the European Communities in 1981

This publication is an extract from the Fifteenth General Report on the Activities of the European Communities (1981).

The text has in no way been modified: references to 'this Report' should therefore be construed as references to the Fifteenth General Report. Nor has the text been brought up to date since that Report was published.

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Published in: Danish, Dutch, English, French, German, Greek, Italian

ISBN 92-825-2825-1

Publication No CB-33-81-441-EN-C

Price (excluding VAT) in Luxembourg: 2.40 ECU; Bfrs 100; £ Irl 1.70; £ 1.40; US \$ 2.50.

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES

Boite postale 1003, L-2985 Luxembourg

## THE COMMUNITY LEGAL ORDER

Jean-Victor LOUIS

The European Communities are not simply a forum of discussion and negotiation between States. Their institutional structure, far more complex and original than that of traditional international organizations, has given birth to a vast quantity of legislation, most of which can be relied upon directly before national courts. The Court of Justice of the three Communities is faced with a workload increasing year by year in its efforts both to clarify the interpretation of Community law for the benefit of national courts and to resolve disputes between the institutions and individuals or Member States. In short, the Communities constitute a unique legal order with a highly complex structure, which penetrates further every day into economic and social reality in the Member States, yet still remains largely unrecognized.

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Published in: Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish.

Publication No CB-28-79-407-EN-C  
ISBN 92-825-1053-3

Price (excluding VAT) in Luxembourg: 3.70 ECU; Bfrs 150; £Irl 2.50; £ 2.60; US \$ 5.

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