

English edition

Information and Notices

Contents

I *Information*

European Parliament

Written Questions with answer

| | |
|---|---|
| No 363/83 by Mrs Anne-Marie Lizin to the Commission Subject: Motor vehicle distribution and pre- and post-sale service agreements | 1 |
| No 364/83 by Mr Horst Seefeld to the Commission Subject: Brussels-Luxembourg-Strasbourg rail link | 1 |
| No 365/83 by Mr Mark Clinton to the Commission Subject: Demonstration projects in Ireland | 2 |
| No 370/83 by Mr Mark Clinton to the Commission Subject: Mackerel quotas | 4 |
| No 374/83 by Mr Jens-Peter Bonde to the Commission Subject: Anti-smoking measures | 4 |
| No 379/83 by Mrs Marijke Van Hemeldonck to the Commission Subject: Information concerning the potential of wind energy | 4 |
| No 383/83 by Mrs Marijke Van Hemeldonck to the Commission Subject: Economic competitiveness of wind energy in the European Community | 5 |
| No 391/83 by Mr Thomas Megahy to the Commission Subject: Eurobarometer poll | 5 |
| No 403/83 by Mrs Yvette Fullet to the Commission Subject: Environmental protection | 6 |
| No 404/83 by Mr Bruno Ferrero to the Commission Subject: Ethiopia — negotiations on the Amarti diversion project | 7 |
| No 406/83 by Mr John Mark Taylor to the Commission Subject: Motor industry | 7 |

| | | |
|-----------------------------|--|----|
| Contents (continued) | No 407/83 by Mr John Mark Taylor to the Commission | |
| | Subject: Motor industry | 8 |
| | No 408/83 by Mr John Mark Taylor to the Commission | |
| | Subject: Motor industry | 8 |
| | Joint answer to Written Questions No 406/83, 407/83 and 408/83 | 8 |
| | No 409/83 by Mr John Mark Taylor to the Commission | |
| | Subject: Motor industry | 8 |
| | No 411/83 by Mr John Mark Taylor to the Commission | |
| | Subject: Motor industry | 9 |
| | No 412/83 by Mr John Mark Taylor to the Commission | |
| | Subject: Motor industry | 9 |
| | No 415/83 by Mr James Moorhouse to the Commission | |
| | Subject: Joint Committee on Civil Aviation | 9 |
| | No 417/83 by Mr James Moorhouse to the Commission | |
| | Subject: State aids for air transport | 10 |
| | No 419/83 by Mr James Moorhouse to the Commission | |
| | Subject: Postal monopolies | 10 |
| | No 422/83 by Mr Pietro Adonnino to the Commission | |
| | Subject: The mailing of packages to Poland | 11 |
| | No 426/83 by Mrs Annie Krouwel-Vlam to the Commission | |
| | Subject: Hormones in meat | 12 |
| | No 427/83 by Mrs Annie Krouwel-Vlam to the Commission | |
| | Subject: Meat frauds | 12 |
| | No 429/83 by Mrs Annie Krouwel-Vlam to the Commission | |
| | Subject: Meat frauds in the Netherlands involving avoidance of import levies | 13 |
| | No 430/83 by Mrs Annie Krouwel-Vlam to the Commission | |
| | Subject: Article in the 'Vrij Nederland' journal on meat frauds | 13 |
| | No 431/83 by Mrs Annie Krouwel-Vlam to the Commission | |
| | Subject: Meat fraud in the Netherlands involving the 'De Vleeschmeesters' concern | 13 |
| | No 432/83 by Mrs Annie Krouwel-Vlam to the Commission | |
| | Subject: Meat fraud in the Netherlands involving the 'De Vleeschmeester' concern | 14 |
| | No 433/83 by Mrs Annie Krouwel-Vlam to the Commission | |
| | Subject: Fraud in connection with the importing of meat from third countries | 14 |
| | No 447/83 by Mrs Yvonne Théobald-Paoli to the Commission | |
| | Subject: Imports of manioc into the Community in 1982 | 15 |
| | No 449/83 by Mr Robert Moreland to the Commission | |
| | Subject: Ceramic sanitary industry in Belgium | 16 |
| | No 457/83 by Mr Michael Welsh to the Commission | |
| | Subject: Cost of inputs for pig producers | 16 |
| | No 461/83 by Mr Jochen van Aerssen to the Commission | |
| | Subject: Veterinary provisions in respect of trans-frontier sporting and leisure activities .. | 17 |

(Continued on inside back cover)

| | | |
|----------------------|--|----|
| Contents (continued) | No 465/83 by Mr Willy Vernimmen to the Commission | |
| | Subject: New Community instrument (NCI III) | 17 |
| | No 469/83 by Mr James Moorhouse to the Commission | |
| | Subject: State aids to air transport | 18 |
| | No 470/83 by Sir Henry Plumb to the Commission | |
| | Subject: Consumer representation | 18 |
| | No 478/83 by Mr Jens-Peter Bonde to the Foreign Ministers of the 10 Member States meeting in political cooperation | |
| | Subject: Installation of nuclear missiles | 19 |
| | No 483/83 by Mr Giosuè Ligios to the Commission | |
| | Subject: Exchange rate applied in the transfer of pensions from Belgium to Italy | 19 |
| | No 484/83 by Mr Roberto Costanzo to the Commission | |
| | Subject: Family allowances for pension holders | 20 |
| | No 494/83 by Mr Yves Galland to the Foreign Ministers of the 10 Member States meeting in political cooperation | |
| | Subject: Children — Iranian soldiers | 20 |
| | No 500/83 by Mrs Renate-Charlotte Rabbethge to the Commission | |
| | Subject: Programme of research and development in the field of science and technology for development 1982 to 1985 (Doc. 1-271/81 — COM(81) 212 final) | 21 |
| | No 501/83 by Mr Gordon Adam to the Commission | |
| | Subject: Use of psychotropic drugs | 21 |
| | No 506/83 by Mr Rudolf Wedekind to the Commission | |
| | Subject: Data protection in the Community | 21 |
| | No 509/83 by Mr Rudolf Wedekind to the Commission | |
| | Subject: Irregular working hours and shift work | 22 |
| | No 523/83 by Mr George Patterson to the Commission | |
| | Subject: Introduction of a variable levy on the import of hops from third countries in place of current import duty | 23 |
| | No 524/83 by Mr George Patterson to the Commission | |
| | Subject: The rights of citizens of Gibraltar | 24 |
| | No 525/83 by Mrs Beate Weber to the Commission | |
| | Subject: Charges for the use of kindergartens in the Member States | 24 |
| | No 526/83 by Mr Alan Tyrrell to the Commission | |
| | Subject: The Acte Claire doctrine | 25 |
| | No 527/83 by Mr Pierre-Bernard Cousté to the Commission | |
| | Subject: Community trade in textiles | 25 |
| | No 544/83 by Mrs Yvette Fuillet to the Commission | |
| | Subject: Situation of Guatemalan refugees in Mexico | 26 |
| | No 547/83 by Mr Horst Seefeld to the Commission | |
| | Subject: Spectacles | 26 |
| | No 549/83 by Mr Rudolf Wedekind to the Commission | |
| | Subject: Lack of animal protection in 'amusement-park' menageries | 27 |

I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 363/83**by Mrs Anne-Marie Lizin (S — B)****to the Commission of the European Communities***(25 March 1983)**Subject:* Motor vehicle distribution and pre- and post-sale service agreements

Could the Commission state what progress has been made with the preliminary draft Regulation concerning the application of Article 85 (3) of the EEC Treaty to motor vehicle distribution and pre- and post-sale service agreements?

Within what period of time does the Commission envisage that discussion and adoption of this Regulation will occur?

Can the Commission state what the reactions of automobile manufacturers are to this resolution?

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

(18 August 1983)

In accordance with Article 5 of Regulation No 19/65/EEC (1), the Commission recently published a draft version of the envisaged Regulation on the application of Article 85 (3) of the EEC Treaty to certain categories of motor vehicle distribution and servicing agreements in the Official Journal, inviting all interested parties to submit any comments they may have within four months (2).

As indicated in its reply to Oral Question No H-116/83 which the Honourable Member raised regarding the same issue (3), the Commission considers that given the complexity of the subject matter and the divergent interests involved, a sufficiently lengthy period must be set aside for discussing the proposed Regulation. Ultimate adoption of the Regulation will depend on the

reactions received and the problems encountered at arriving at an acceptable solution, so that any prediction as to when the Regulation may go into effect would be premature at this moment.

The Commission does not consider it appropriate at this time to present the preliminary views expressed by one particular interest group regarding the proposed legislation.

(1) OJ No 36, 6. 3. 1965, p. 533/65.

(2) OJ No C 165, 24. 6. 1983, p. 2.

(3) Debates of the European Parliament, No 1-298 (May 1983).

WRITTEN QUESTION No 364/83**by Mr Horst Seefeld (S — D)****to the Commission of the European Communities***(25 May 1983)**Subject:* Brussels-Luxembourg-Strasbourg rail link

In its resolution of 14 October 1982 (1), the European Parliament called on the Commission to prevail upon the group of 10 Community railway undertakings to improve rail traffic from Brussels to Strasbourg via Luxembourg by introducing better timetables, faster cruising speeds and modern high-speed trains.

1. What has the Commission done so far to comply with this request?
2. What conclusions does the Commission draw from the Metra study now available on how to improve the various means of communication between Strasbourg, Luxembourg and Brussels?

3. Do not the results of this study encourage support for a project by the Luxembourg railway company (CFL) to introduce a high-speed train system (shuttle service) — developed and already operating smoothly in Sweden — on existing track between Brussels and Strasbourg, which would save an hour on the journey at reasonable cost?
4. Is the Commission prepared to bring its influence to bear on the other two railway companies concerned by recommending this project to them and to seek to bring about its implementation having regard to its importance to the Community?

(1) OJ No C 292, 8. 11. 1982, p. 74.

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

(2 August 1983)

1. As requested by Parliament, the Commission entrusted the Metra consultants bureau with the study of the possible variants for equipping the transport link Brussels-Luxembourg-Strasbourg.
2. This study shows that — of the projects examined — only that involving the modification of the present rail link so that the nominal speed on Belgian territory can be raised from 140 to 160 km/hour could be justified. The Metra investigation did not include a study of the installations of the type mentioned by the Honourable Member. The contacts which the consultants bureau had with the railway authorities at the time when the study was carried out did not reveal the possible value of this solution.

3. The results of the Metra study were notified in February 1982 to the representatives of the Member States concerned on the Committee for Transport Infrastructures and to the railway administrations concerned; no reactions have yet been received. The Commission intends — at one of the next meetings of the Committee on Transport Infrastructures — to include on the agenda of that meeting a point covering the modification of the Brussels-Luxembourg-Strasbourg rail link. At that time the intentions of the Luxembourg railway authorities can be described and the 'shuttle' system referred to by the Honourable Member could be examined.

4. In addition, the Group of Ten will also be informed by the Commission of the possible use of this system.

WRITTEN QUESTION No 365/83

by Mr Mark Clinton (PPE — IRL)

to the Commission of the European Communities

(25 May 1983)

Subject: Demonstration projects in Ireland

Can the Commission please list the energy demonstration projects that have been co-financed by the Community in Ireland since the beginning of the scheme and include the location, the objectives, the total cost, and the Community share of financing of these projects?

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

(4 August 1983)

The Honourable Member will find below the list of energy demonstration projects co-financed by the Community in Ireland.

(£ Irl)

| Year | Objective and location | Total cost/ Community share | |
|-----------------------------------|--|--------------------------------|-----------|
| <i>Economy of energy</i> | | | |
| 1979 | Heat pipe recovery system on milk spray-dryers (Ballineen) | 204 428 | 47 330 |
| 1979 | Demonstration of energy-saving techniques in the type of houses built in Ireland (Dublin) | 164 000 | 65 600 |
| 1980 | Modern electric road-vehicle technology in urban fleet operations (Dublin) | 548 700 | 185 735 |
| 1981 | Partial coal firing of existing oil-fired boilers (Mitchelstown) | 520 000 | 208 110 |
| 1981 | Design, construction, monitoring and evaluation of a low-cost low-energy dwelling house (Clondalkin) | 325 600 | 78 240 |
| 1981 | Passive solar housing at Wilderness 2 (Clonmel) | 1 956 342 | 88 541 |
| 1981 | Multifuel fluidized bed boiler exploiting indigenous solid fuels with steam turbine/diesel (Tralee) | 4 308 791 | 1 071 666 |
| <i>Solar energy</i> | | | |
| 1979 | Forestry biomass energy demonstration project in Portarlington (Dublin) | 1 254 584 | 502 633 |
| 1981 | Forestry biomass demonstration programme (Dublin) | 7 964 000 | 2 548 420 |
| <i>Solar energy pool</i> | | | |
| 1981 | Solar heating of the sports centre, swimming pool (Dublin) | 39 838 | 9 039 |
| <i>Technology of hydrocarbons</i> | | | |
| 1979 | Development of pulse $8/3$ range (RHO3) circular-positioning system (Cork) | 264 700 | 104 000 |
| 1981 | Development of a reliability analysis system for offshore structures (Dublin) | 500 000 | 124 999 |
| 1982 | Development of a deep-water tethered, manned submersible (Dublin) | 797 000 | 154 350 |
| 1982 | Construction techniques in limestones for cryogenic storage (Dublin) | 3 302 000 | 990 602 |

WRITTEN QUESTION No 370/83**by Mr Mark Clinton (PPE — IRL)****to the Commission of the European Communities***(25 May 1983)***Subject:** Mackerel quotas

Is the Commission aware that the Irish fishing industry is particularly dependent on mackerel landings which represent approximately two-thirds of total landings?

Does the Commission agree that a reduction of 32 % in the proposed mackerel quota for Ireland contravenes the spirit of The Hague resolution which was intended to permit the development of the Irish fishing industry?

Does the Commission agree that the effects of over-fishing of western and eastern mackerel stocks are being unfairly borne by Irish mackerel fishermen?

What does the Commission propose to do about this situation?

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

(11 August 1983)

Yes. For species under TAC and quota, the Irish quota for mackerel represented 54% of the total; in terms of cod equivalent these mackerel represented about 32% of the total.

The Irish Hague preference for the western stock of mackerel is 23 134 tonnes compared with the latest proposal of the Commission for a quota for Ireland of 61 440 tonnes⁽¹⁾. The Presidency suggested on 28 June 1983 that this quota should be increased to 70 400 tonnes. This, if accepted by the Council, would represent a decrease from the 1982 quota of 12%. This results from decreasing the TAC required by the need to safeguard the stock. The Hague resolution has resulted in a considerable development of the Irish fishing industry but, given finite resources, and the interests of other Member States, this development cannot be unlimited. Furthermore, the development of the Irish fishing industry is not solely represented by increased quotas.

The Commission does not agree that the effects of over-fishing the western mackerel stock in which Irish fishermen substantially participated are being unfairly borne by Irish mackerel fishermen whose quota in 1983 will be the same proportion of the TAC as in 1982.

On this basis, the Commission considers that no action is required of it.

⁽¹⁾ COM(83) 385 final.

WRITTEN QUESTION No 374/83**by Mr Jens-Peter Bonde (CDI — DK)****to the Commission of the European Communities***(25 May 1983)***Subject:** Anti-smoking measures

Does the scope of the Treaty of Rome, as established on 2 October 1972, include an anti-smoking campaign and, if so, where in the Treaty are provisions to this effect to be found?

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

(9 August 1983)

The Commission's activities to combat smoking are based on decisions made by the Council and representatives of the Governments of the Member States meeting within the Council on 16 November 1978 (Health)⁽¹⁾. They are centred on prevention and are implemented by means of studies and exchanges of experience.

These activities are also a response to the resolution on the campaign against smoking of 12 March 1982⁽²⁾ by which the European Parliament requested the Commission to take specific action in this field. The Honourable Member is requested to refer in this connection to Mr Narjes' statement to the European Parliament of 11 March 1982⁽³⁾ and the Commission's answers to Written Questions No 103/79 by Mr Jahn, No 645/79 by Mr Michel, No 1426/79 by Miss De Valera and No 573/80 by Mr O'Connell⁽⁴⁾.

⁽¹⁾ Council Document No 1291/78 (Press Release 146) of 15 December 1978.

⁽²⁾ OJ No C 87, 5. 4. 1982, p. 118.

⁽³⁾ Debates of the European Parliament, No 1-282 (March 1982).

⁽⁴⁾ OJ No C 185, 23. 7. 1979, p. 15,
OJ No C 316, 17. 12. 1979, p. 38,
OJ No C 126, 27. 5. 1980, p. 40,
OJ No C 239, 17. 9. 1980, p. 11.

WRITTEN QUESTION No 379/83**by Mrs Marijke Van Hemeldonck (S — B)****to the Commission of the European Communities***(25 May 1983)***Subject:** Information concerning the potential of wind energy

Against the background of high oil prices, imminent exhaustion of fossil fuels, concern about the environment and the need to reduce dependence on

imported energy, the early 1970s saw a resurgence of interest in wind energy in the countries of the European Community.

Although there is now a great deal of interest in this renewable, non-polluting form of energy on the part of both private individuals and the commercial sector, no information is available as regards either the potential advantages offered or the problems posed by the building of a wind-powered generator.

Can the Commission not offer assistance in this connection? If so, what information can the Commission make available? When and where will interested parties be able to obtain this information?

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

(13 July 1983)

The Commission shares the Honourable Member's view of the current importance of wind power. It has in fact just launched a programme for granting financial support to demonstration projects in this field. The aim of the programme is to show that wind power is a reliable source of energy, and to promote its development. Achievements in this field will receive maximum publicity among the industrialists and private individuals concerned, who will also have access to the information obtained.

Wind power, moreover, is given an important role in the Commission's proposal concerning the third R & D programme in the field of non-nuclear energy. Parliament and the Council will be invited to comment on this proposal during 1983.

WRITTEN QUESTION No 383/83

**by Mrs Marijke Van Hemeldonck (S — B)
to the Commission of the European Communities**

(25 May 1983)

*Subject: Economic competitiveness of wind energy
in the European Community*

In the light of research and development activities undertaken in the Community can the Commission state whether wind energy can yet be regarded as economically competitive? If so, what practical applications can the Commission see for wind energy? What examples already exist and where are they located?

If not, can it be regarded as a potential source of energy in the longer term? If so, what precisely is the potential and is it an economic proposition?

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

(27 July 1983)

The Commission has initiated limited assessment studies on the technical and economical potential of wind energy in the Community. These studies are not yet completed, but preliminary results indicate that there is a considerable potential for electricity generation by wind power.

Whereas economic viability is already assured under certain geographical conditions (isolated locations and islands, e.g. on the rural districts of Denmark), further R & D work is still necessary in order to make electricity generation by wind power economically feasible on a larger scale. Wind energy R & D has therefore again been included in the Commission's proposal for a third programme of R & D in the field of non-nuclear energy, on which the European Parliament and the Council are expected to take position in the second half of 1983.

WRITTEN QUESTION No 391/83

**by Mr Thomas Megahy (S — GB)
to the Commission of the European Communities**

(25 May 1983)

Subject: Eurobarometer poll

According to the latest Eurobarometer opinion poll published by the Commission in December 1982, 60% of those British people who had heard or read something about the European Parliament have a bad impression of it (p. 93). Throughout the Community, however, almost twice as many 'leaders of opinion' within that total have formed a bad impression of it.

Would the Commission say what percentage of informed 'leaders of opinion' in the UK have a bad impression of the European Parliament?

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

(10 August 1983)

In Eurobarometer surveys, opinion leaders are empirically identified by means of an index combining two variables: the frequency of political discussions and the propensity to influence others.

For the United Kingdom, the breakdown of replies to the October 1982 question mentioned by the Honourable Member was as follows:

Public awareness of European Parliament and impression gained by leadership
rating
(United Kingdom)

| | Per 100 respondents | | | | Per 100 respondents having heard or read something | | | | |
|-------------|---------------------|-----|-----|-----|--|-----|-----|---------|-----|
| | (1) | (2) | (3) | (4) | (1) | (2) | (3) | Total % | |
| Non-leaders | (--) | 6 | 17 | 8 | 31 | 20 | 54 | 26 | 100 |
| | (-) | 9 | 30 | 11 | 50 | 17 | 60 | 23 | 100 |
| | (+) | 10 | 35 | 13 | 58 | 18 | 59 | 23 | 100 |
| Leaders | (++) | 14 | 45 | 13 | 72 | 19 | 63 | 18 | 100 |
| All | | 9 | 30 | 11 | 50 | 18 | 59 | 23 | 100 |

- (1) Good impression.
 (2) Bad impression.
 (3) No impression or don't know.
 (4) Total having read or heard something.

These findings should be interpreted with caution, given the number of respondents in each group:

| | | |
|-------------|------|-----------|
| Non-leaders | (--) | n = 363 |
| | (-) | n = 449 |
| | (+) | n = 380 |
| Leaders | (++) | n = 143 |
| All | | n = 1 335 |

WRITTEN QUESTION No 403/83
by Mrs Yvette Füllet (S — F)
to the Commission of the European Communities
 (25 May 1983)

Subject: Environmental protection

The Member States invest public funds in environmental protection.

Can the Commission state for each Member State:

1. The percentage earmarked in the budget for this purpose?
2. The nature of the investment?
3. The industrial sectors in which the funds are invested?
4. The scale of the aid given to small and medium-sized undertakings and industries for environmental protection?

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

(11 August 1983)

The compilation of Community statistics showing the amount of public money given over to environmental protection raises a host of problems of definition and method which do not facilitate comparison of national statistics where these exist.

In the Commission's view, such information is necessary for the implementation of Community policy on the environment, but it has not as yet been able to persuade the Member States that the compilation of statistics on the environment should be undertaken by the Statistical Office. Parliament recently underscored its interest in such a compilation by setting aside a budget heading to

cover harmonization of environmental statistics (with a token entry).

The Commission is currently financing a study, in conjunction with the OECD, on the cost of applying regulations on pollution control. The information it possesses on the amount of public aid to investment by firms to reduce pollution is very scant. The information supplied by the Member States is too sketchy for it to be able to draw conclusions as to the impact of the aid on investment by small and medium-sized businesses.

WRITTEN QUESTION No 404/83
by Mr Bruno Ferrero (COM — I)
to the Commission of the European Communities
(25 May 1983)

Subject: Ethiopia — negotiations on the Amarti diversion project

At the beginning of March 1983 the Commission's DG VIII prohibited the Ethiopian State agency EELPA from entering into negotiations with the Italian consortium led by the Ravenna CMC Cooperative on the Amarti diversion project (financed by the Fifth EDF) which were about to start on the basis of information provided in the tender report.

Subsequently, DG VIII insisted that negotiations be opened with the Dutch company Rash Tompkins Bv which had not been considered technically or financially capable of carrying out the work.

1. Does the Commission consider it normal totally to disregard the conclusions reached in the tender report submitted by the firm of consultants it itself proposed?
2. Has the Commission taken account of the fact that the Ethiopian Government has repeatedly and clearly argued in favour of continuing negotiations with the Italian consortium for technical and economic reasons?
3. What steps has the Commission taken to prevent a dispute arising between the parties concerned, which would inevitably have repercussions on relations between the Member States and with an associated Lomé Convention country?

Answer given by Mr Pisani
on behalf of the Commission

(24 August 1983)

Three firms responded to the invitation to tender for the Amarti diversion project. The financially most advantageous bid emerged as that of the contractors Rush and Tompkins followed by that of the CMC consortium.

After an initial recommendation, which was not, however, based on all the pertinent facts, the consultancy firm instructed to make an appraisal of the tenders submitted its final report to the various parties on 6 June 1983 with the conclusion that Rush and Tompkins had the necessary technical qualifications to carry out the work.

Consequently, Rush and Tompkins was chosen in accordance with Article 121 (2) of the Lomé Convention, which stipulates that the contract must be awarded for the economically most advantageous tender.

The Ethiopian authorities concluded the contract for the execution of the work with Rush and Tompkins on 6 July 1983.

The Commission has therefore:

- (i) given consideration to the appraisal of tenders made by the consultancy firm;
- (ii) been constantly in contact with the Ethiopian Government; the various problems inherent in the final choice of the contractor to perform the work were dealt with at a meeting in Brussels of representatives of the Ethiopian management body, the Commission and the consultancy firm early in June 1983;
- (iii) taken care that the final choice of contractor was made on the basis of entirely objective criteria and in compliance with the obligations laid down in the Lomé Contention.

WRITTEN QUESTION No 406/83
by Mr John Mark Taylor (ED — GB)
to the Commission of the European Communities
(31 May 1983)

Subject: Motor industry

What would be the effect on the EEC economy of removing Nigeria's preferential tariffs because of their failure to provide effective measures against the widespread counterfeiting of well-known European products?

WRITTEN QUESTION No 407/83
by Mr John Mark Taylor (ED — GB)
to the Commission of the European Communities
(31 May 1983)

Subject: Motor industry

Since Nigeria is a major market and trading partner of the EEC but also a major market for counterfeits of products, is there any way in which the Commission can encourage Nigeria through aid or tariff measures to tighten up its measures against counterfeiting?

WRITTEN QUESTION No 408/83
by Mr John Mark Taylor (ED — GB)
to the Commission of the European Communities
(31 May 1983)

Subject: Motor industry

Will the Commission please identify what preferential tariffs Nigeria enjoys with the common market under the Lomé Convention?

Joint answer given by Mr Pisani
on behalf of the Commission
(10 August 1983)

Nigeria, as a signatory to the Lomé Convention, enjoys freedom of access to the Community market as accorded by the Convention to all ACP States.

Under these arrangements all products not subject to a market organization under the common agricultural policy are exempt from customs duties. Specific measures are applied case by case to market organization products.

The Community does not, moreover, apply quantitative restrictions.

The arrangements governing EEC-Nigeria trade relations are binding on respective parties for the duration of the Lomé Convention. The problem of counterfeiting must, therefore, be dealt with on a practical basis. Since Nigeria is a major African market, it is clearly a target for counterfeiters and the Nigerian authorities are well aware of this. The Commission has already raised this matter with the Nigerian authorities. The situation at present is that Commission assistance would seem unlikely to be effective, since the root of the problem lies

elsewhere. Should Nigeria feel itself in need of technical assistance from the Commission, it is up to that country to request it and state what form such assistance should take. The current import monitoring measures would appear to be sufficient and do not therefore need to be stepped up.

WRITTEN QUESTION No 409/83
by Mr John Mark Taylor (ED — GB)
to the Commission of the European Communities
(31 May 1983)

Subject: Motor industry

Can the Commission please provide reassurance that it has the menace of international counterfeiting under active consideration?

Answer given by Mr Haferkamp
on behalf of the Commission
(2 August 1983)

The Commission can reassure the Honourable Member that it has long shared the preoccupations of manufacturers and consumers with regard to international trade in counterfeit goods. The problems are particularly acute in the automobile spare parts sector where there can be serious implications for safety; the problems are however not confined to that sector. The Commission maintains close links with European trade and professional associations having an interest in this question, including the European Association of Industries of Branded Products.

The Commission also continues to be actively involved, along with the Community's major trading partners, in proposing adoption of an international agreement, under the auspices of the GATT, designed to improve international cooperation and techniques for combating counterfeiting. The agreement will not eradicate the problem entirely — it would be unrealistic to expect this — it will however be a useful contribution to the search for a solution and the Commission's efforts will be directed towards ensuring that any such agreement is implemented by as many countries as possible.

WRITTEN QUESTION No 411/83**by Mr John Mark Taylor (ED — GB)****to the Commission of the European Communities***(31 May 1983)**Subject: Motor industry*

What is the balance of trade between the EEC and Taiwan?

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

(9 August 1983)

The 1982 figures for trade balance between the Community and Taiwan in the motor vehicles sector (Common Customs Tariff heading Nos 87.01 to 87.07) show a surplus of 111,3 million ECU in favour of the Community. Within this sector, the same year's figures for 'Parts and accessories of motor vehicles' (Common Customs Tariff heading No 87.06) show a surplus of 4,2 million ECU in favour of the Community.

WRITTEN QUESTION No 412/83**by Mr John Mark Taylor (ED — GB)****to the Commission of the European Communities***(31 May 1983)**Subject: Motor industry*

What representations have the Commission received in the recent past concerning the subject of commercial counterfeiting by Taiwanese companies?

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

(11 August 1983)

The Commission has for some time been receiving information from industries directly concerned on counterfeiting by Taiwan firms, the products in question being discovered in particular on the markets of a number of non-Community countries. Some of this information, provided by several British, French and Italian firms, refers to motor car and engine spare parts and accessories.

The Commission considers that in general such counterfeiting represents an often serious injury to the industries concerned from a financial point of view and with regard to their trade image on the markets of the countries in question. It will use its best endeavours to see that this practice ceases.

With regard to the specific cases in question, the fact that neither the Community nor the Member States

have official relations with Taiwan means that the matter cannot be handled through the customary diplomatic channels nor by direct action. However, in the course of discussions with representatives of Taiwan industry, the opportunity was taken to raise the problem of counterfeiting, emphasize the seriousness of the situation and state the Community's desire to see measures taken to control and subsequently eliminate the problem.

On the basis of information recently received, it would appear that Taiwan has taken steps which should help to achieve the desired result (stiffening of existing sanctions, administrative and financial measures, an information and dissuasion campaign and more effective monitoring). Pending concrete results from such measures, the Commission will continue to follow the matter with a view to achieving a satisfactory outcome.

WRITTEN QUESTION No 415/83**by Mr James Moorhouse (ED — GB)****to the Commission of the European Communities***(31 May 1983)**Subject: Joint Committee on Civil Aviation*

1. In reply to Written Question No 678/82 ⁽¹⁾ the Commission stated that the employers have refused to take part in joint meetings on civil aviation. Has any reason been offered to the Commission for this refusal to participate?

2. The Commission, in its reply, continues by saying that 'the meetings referred to have therefore (excluding civil aviation) taken place with only the workers present'. Will the Commission detail the meetings that have taken place on civil aviation and the parties or groups represented?

3. How many times did the Joint Committee on Civil Aviation meet in 1982 and what meetings are planned for 1983?

⁽¹⁾ OJ No C 287, 4. 11. 1982, p. 5.

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

(24 August 1983)

1. The civil aviation employers refused to participate in joint meetings with the workers at Community level on the grounds that such meetings would serve no useful purpose.

2. Discussions at the meetings concerned working time and earnings in civil aviation, assignment of places for workers' organizations at meetings with the Commission, liberalization of inter-regional transport, application to civil aviation of rules on competition under the EEC Treaty, tariffs, State aids, mutual recognition of licences, restrictions on flying time, social policy in civil aviation in general and lastly, information, consultation and participation of workers.

The aim of the consultations was to determine the approach to certain work (a study on restrictions on flying times is at present under way), to prepare specific actions with long-term social implications (mutual recognition of licences), to obtain the advice of the persons concerned on the social aspects of Community measures in preparation (inter-regional services, competition, tariffs, State aids) and to establish the basis for the creation of a Joint Committee on Civil Aviation.

3. In 1982, the Commission consulted the workers' representatives on one occasion at a plenary meeting and three times in working parties. There were no meetings in the first half of 1983; for the second half of this year two meetings of working parties (workers) and one plenary meeting (workers) are planned.

three cases of the granting of State aid to which the Commission raised no objection and in the one case where it decided to withhold approval (Oral Question No H-759/82, paragraph 4)?

(¹) Debates of the European Parliament, No D 0296 (March 1983).

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

(25 July 1983)

1 and 2. Prior to 1982 the Commission received three notifications of State aid to air transport. In 1982 the Commission received one notification. None has been received in 1983.

In all three cases prior to 1982 the Member State and the recipient were the Netherlands and KLM respectively. In each case the aids in question were particular cases under an approved general aid scheme. In the one case notified during 1982, the Member State was Denmark, and the recipient was SAS. Complaints have been received concerning Denmark and SAS (1975), Belgium and Sabena and Sobelair (1981), Greece and Olympic Airways (1982) and Italy and Alitalia (1983).

3. Of the four cases notified, the Commission raised no objection in two (Netherlands and KLM, 1979 and 1982). It made no comments in one case, but requested notification of any proposed payment (Denmark and SAS, 1983). In one case the Commission has yet to adopt its position (Netherlands and KLM).

WRITTEN QUESTION No 417/83

by Mr James Moorhouse (ED — GB)

to the Commission of the European Communities

(31 May 1983)

Subject: State aids for air transport

1. With reference to the Commission's reply to Oral Question No H-759/82 (¹), will the Commission state the number of State aids notified to it, and the number of complaints received, concerning air transport prior to 1982 and in 1983?

2. Will the Commission in each case name the Member State and the receiving bodies for the aids notified or complained of prior to 1982 and in 1983?

Will the Commission similarly name in each case the Member States and receiving bodies concerned in the one notification and one complaint regarding State aid received in 1982 and mentioned in Oral Question No H-759/82, paragraph 3?

3. Will the Commission also name in each case the Member States, receiving bodies and dates in the

WRITTEN QUESTION No 419/83

by Mr James Moorhouse (ED — GB)

to the Commission of the European Communities

(31 May 1983)

Subject: Postal monopolies

1. Will the Commission please state for each Member State:

- (a) the degree of State ownership or control of national postal authorities, and
- (b) the degree of competition to each national postal service that is permitted?

2. Will the Commission take steps to examine the monopolistic practices of postal authorities? In some Member States these have led to restrictions on the right of establishment of important business services such as international couriers, even though

such activities were *de facto* supplying different markets to those served by national postal authorities?

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

(11 August 1983)

1. (a) In all Member States, the postal service proper is covered by a State-controlled monopoly.
 - (b) As regards the distribution of letters, the existence of such monopolies rules out any competition. There is, however, a certain measure of competition within the Member States with regard to the distribution of packages and publications, which in general is not covered by the postal monopoly.
- The Commission is unable to give the Honourable Member precise information on the exact situation in this respect in each Member State, other than that given in the answer to Written Question No 2000/82 (1).

2. The Commission has in the past had to examine certain monopolistic practices in the area of telecommunications (2). It has to date seen no need to examine the conduct of the postal services in the various Member States.

The Commission believes that the monopoly over the distribution of letters is not in itself incompatible with the provisions of the EEC Treaty. The possibility of becoming established and operating as an international courier in a Member State, as mentioned by the Honourable Member, therefore depends, particularly, since there are no common rules on the subject, on the actual extent of the exclusive right given to the postal service proper by the Member State concerned.

Posts and telecommunications are also listed among the sectors provisionally excluded from the provisions of Commission Directive 80/723/EEC of 25 June 1980 on the transparency of financial relations between Member States and public undertakings (3), which is more particularly concerned with certain aspects of aids.

Where necessary, however, the Commission proposes to make these sectors subject to the same requirements of transparency in the near future.

(1) OJ No C 167, 27. 6. 1982.

(2) Commission Decision of 10 December 1982, British Telecommunications, OJ No L 360, 21. 12. 1982.

(3) OJ No L 195, 29. 7. 1980.

WRITTEN QUESTION No 422/83
by Mr Pietro Adonnino (PPE — I)
to the Commission of the European Communities
(31 May 1983)

Subject: The mailing of packages to Poland

The system whereby Community citizens could send parcels weighing up to 20 kg by surface mail to Poland, the costs being borne by the central postal authorities in the various Member States, was suspended at the end of 1982.

The measure had had a considerable impact, provoking a commendable display of generosity on the part of European citizens towards the people of Poland.

Is the Commission prepared to put forward and the Council to accept a proposal, subject naturally to the opinion of the European Parliament, for the introduction of an instrument which would allow the postage on parcels sent by European citizens to be paid for out of the budget of the European Community?

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

(20 July 1983)

Since December 1981 a total of 27 million ECU has been provided by the Commission as direct aid to the people of Poland.

The Commission has decided that this aid should be channelled through a small number of NGOs so as to ensure that the fullest and most effective use is made of the money, since budget constraints limit the volume of exceptional aid and furthermore the Polish people are not the only ones in receipt of such aid from the Commission.

A decision to finance the sending of parcels by private citizens would mean far higher demands on the budget, given the expense that would be incurred.

As very large sums have already been committed for the current aid effort and, what is more, the Commission intends shortly to apply to the budgetary authorities for the funds necessary to continue this aid up to the end of 1983, the Commission does not consider it opportune at this time to ask for extra funds to cover the cost of parcels sent by individuals.

Nevertheless, the Commission welcomes the steps taken in this matter by the authorities of certain

Member States — notably the Federal Republic of Germany and Italy — and hopes that their example will be followed by other national authorities.

WRITTEN QUESTION No 426/83

**by Mrs Annie Krouwel-Vlam (S — NL)
to the Commission of the European Communities**

(31 May 1983)

Subject: Hormones in meat

In 1980, largely as a result of pressure from consumer organizations, the Council gave a 'solemn' undertaking to prohibit the use of hormones in meat production.

In 1983 there are still no European provisions prohibiting the use of hormones.

What dangers are caused to the consumer?

What problems have prevented the Veterinary Committee from producing a report yet?

Can the Commission indicate how many contraventions of national provisions on the use of hormones in the Member States were noted for the period 1980/81?

Which organizations have expressed their opposition to any Community rules in their contacts with the Commission?

When does the Commission intend to reach a decision on the use of hormones in meat production?

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

(17 August 1983)

In October 1980, in the face of widespread public concern, a confusing disparity of the National legislation in Member States and an unclear consensus of scientific opinion the Commission proposed a total ban on the use of certain hormonal substances for fattening purposes in farm animals.

Consequently the Council by adoption of Directive 81/602/EEC⁽¹⁾ concerning the prohibition of certain substances having a hormonal action and of any substance having a thyrostatic action, agreed with the approach of the Commission and banned administration to farm animals of substances with oestrogenic, androgenic or gestogenic action. In particular it required the total prohibition of the placing on the market of stilbenes, stilbene

derivatives, their salts and esters and thyrostatic substances for administering to animals of all species within two months of the date of notification of the Directive. The Commission is convinced that this measure already gives a firm basis to protect the consumer from these substances.

At the same time the *status quo* of National legislation was maintained as regards use of the natural substances, oestradiol 17B, progesterone and testosterone and for the substances of a similar action trenbolone and zeranol. The Commission undertook to make a special scientific investigation into the safety of these substances.

The Commission wished to have a wide scientific consultation on the matter and asked the opinions of the Scientific Veterinary Committee, the Scientific Committee for Animal Nutrition and the Scientific Committee for Food. A Scientific Group on Anabolic Agents in Animal Production first studied this matter and their report was the basis for the work of the Commission. All these consultations, involving working together with more than 60 of the most eminent scientists in Europe, took longer than the Commission anticipated but a full report is now made and will be available very shortly.

The Commission does not have a record of infractions of National rules on the use of hormones in the Member States during 1980/81.

As usual when considering the establishment of new legislation the Commission consults interested parties within the framework of its consultative committees. The Commission has and will continue to consult these bodies, in this case the Veterinary Consultative Committee⁽²⁾ and the Consumers Consultative Committee⁽³⁾.

The Commission will present further proposals to the Council on these substances as soon as it has completed its consultations and considerations of the question.

(1) OJ No L 222, 7. 8. 1981, p. 32.

(2) OJ No L 171, 30. 6. 1976, p. 37.

(3) OJ No L 283, 10. 10. 1973, p. 18.

WRITTEN QUESTION No 427/83

**by Mrs Annie Krouwel-Vlam (S — NL)
to the Commission of the European Communities**

(31 May 1983)

Subject: Meat frauds

1. Is the Commission aware of the article in the 'Vrij Nederland' weekly journal of 16 April 1983 entitled 'The Fleshpots of Biesheuvel, Dreesmann and the slush-puppy'?

2. Has the Commission been informed by the Dutch authorities of the fraud referred to in this report pursuant to Articles 3, 4 and 5 of Regulation (EEC) No 283/72 (1)?

3. If so, what action does the Commission intend to take against the Dutch Government?

(1) OJ No L 36, 10. 2. 1972, p. 1.

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

(19 August 1983)

1. Yes.

2 and 3. No. The Netherlands authorities are not obliged by Community law on own resources to inform the Commission of this fraud.

Regulation (EEC) No 283/72 concerns irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field, whereas the case referred to concerns various provisions of Community law governing own resources.

WRITTEN QUESTION No 429/83

by Mrs Annie Krouwel-Vlam (S — NL)

to the Commission of the European Communities

(31 May 1983)

Subject: Meat frauds in the Netherlands involving avoidance of import levies

Does the Commission not consider it necessary to create a European inspection office responsible to the Commission to ensure that Community rules in the agricultural sector are properly implemented and monitored in the Member States in order to prevent the occurrence of such major frauds?

If not, how does the Commission intend to retain its credibility as a body responsible for controlling policy management?

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

(19 August 1983)

The Commission gave a detailed answer to this question on 18 May 1983 during the debate on the

discharge in respect of the implementation of the budget for 1981 (1).

(1) Debates of the European Parliament, No 1-298 (May 1983).

WRITTEN QUESTION No 430/83

by Mrs Annie Krouwel-Vlam (S — NL)

to the Commission of the European Communities

(31 May 1983)

Subject: Article in the 'Vrij Nederland' journal on meat frauds

What conclusions are drawn by the Commission from the report by the Tiel police and the Netherlands Ministry of Agriculture's Inspectorate particularly with regard to its future policy, given that the fraud was not an isolated case but extends throughout the industry (as emerges from the report by Detective P. Versteegt)?

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

(19 August 1983)

Since the fraud committed by the firm in the Vleeschmeesters group is not an isolated case, the Commission is bound to conclude that the control measures taken by the national department concerned were inadequate.

The attention of the Dutch authorities has been drawn to the problem.

During forthcoming inspection visits the Commission will ascertain the exact quality of the controls carried out by the Dutch authorities.

WRITTEN QUESTION No 431/83

by Mrs Annie Krouwel-Vlam (S — NL)

to the Commission of the European Communities

(31 May 1983)

Subject: Meat fraud in the Netherlands involving the 'De Vleeschmeesters' concern

1. Can the Commission indicate the extent of the damage to the Community budget?

2. What were the benefits for the business concerned?

3. What impact will this affair have as regards the approval of the figures submitted by the Netherlands in connection with the Agricultural Fund for the years in question?

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

(19 August 1983)

1. The Commission has asked the Dutch authorities to establish and make available as soon as possible all the levies withheld in this case.

Once establishment takes place, no damage will have been done to the Community budget.

2. The profit of Fl 11 million to Fl 12 million which the firm has derived from the fraud will be wiped out when the evaded levies are recovered.

3. This case has no effect on the clearance of the Dutch EAGGF accounts since the figures in question relate to own resources and not to expenditure under the Fund.

WRITTEN QUESTION No 432/83

**by Mrs Annie Krouwel-Vlam (S — NL)
to the Commission of the European Communities**

(31 May 1983)

Subject: Meat fraud in the Netherlands involving the 'De Vleeschmeester' concern

Does the Commission consider that the Dutch Government has fulfilled its obligation to take all necessary measures to prevent and deal with these reported irregularities and recover for the Community the amount of which it was defrauded, pursuant to Article 8 of Regulation (EEC) No 729/70⁽¹⁾?

If not, what measures does the Commission intend to take to ensure that the provisions of the abovementioned Article are respected?

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

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

(19 August 1983)

Article 8 of Regulation (EEC) No 729/70 requires the Member States to take the measures necessary to prevent and deal with irregularities in connection

with expenditure under the common agricultural policy. The case referred to by the Honourable Member involves a fraud committed in connection with Community revenue (own resources) and Member States are not automatically obliged to give notification of frauds in this field.

WRITTEN QUESTION No 433/83

**by Mrs Annie Krouwel-Vlam (S — NL)
to the Commission of the European Communities**

(31 May 1983)

Subject: Fraud in connection with the importing of meat from third countries

1. For how long have the Commission services been aware of meat frauds involving the 'De Vleeschmeesters' concern?

2. What measures (in chronological order) have been taken by the Commission?

3. With whom has the Commission discussed the matter and when?

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

(19 August 1983)

1. As it already stated in reply to Written Question No 32/81 by Mr Notenboom⁽¹⁾, the Commission learned of this fraud from the press in February 1981.

2 and 3. After learning of this fraud, the Commission repeatedly contacted the appropriate Dutch department for information about the progress made in its inquiries.

The Commission and the Dutch authorities met on 18 August 1982 and decided that all the own resources due should be established and made available to the Community.

On 24 May 1983 the Commission wrote to the Dutch authorities requesting that all the import duties withheld in this case should be established and made available as soon as possible.

⁽¹⁾ OJ No C 140, 10. 6. 1981, p. 24.

WRITTEN QUESTION No 447/83

by Mrs Yvonne Théobald-Paoli (S — F) and Mr Louis Eyraud (S — F)

to the Commission of the European Communities

(31 May 1983)

Subject: Imports of manioc into the Community in 1982

Following the different agreements reached with supplier countries with a view to limiting imports of manioc into the Community, can the Commission indicate:

- (a) the total quantity of manioc imported into the Community in 1982 and the percentage by which these imports have increased compared with the previous year;
- (b) the quantities for which a 6 % levy reduction was granted?

Can the Commission indicate:

- (a) the ceiling above which the 6 % import levy reduction is no longer granted;
- (b) the amount of the levy imposed on imports above the ceiling;
- (c) the additional budgetary revenue obtained through this supplementary levy in 1982?

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

(2 August 1983)

I. The quantities of manioc imported into the Community have been as follows⁽¹⁾:

1981 — 6 677 499 tonnes, of which 5 609 303 from Thailand

1982 — 8 101 036 tonnes (an increase of 18,60 %), of which 7 347 533 from Thailand (an increase of 31 %).

All these quantities attracted a levy of 6 % *ad valorem* only for the following reasons:

Thailand

The EEC-Thailand Agreement, approved by the Council on 19 July 1982, stipulated that for 1982 Thailand could export 5 500 000 tonnes of manioc to the Community with a maximum levy of 6 % *ad valorem*, and required Thailand not to issue export certificates for quantities exceeding this volume during 1982.

Thailand, which activated the export certificate system from 1 January 1982 onwards, issued, for the period from 1 January to 31 December 1982, 4 068 export certificates checked by the Commission for 5 499 999 tonnes, in accordance with the undertaking given.

The difference between the quantity of 5 500 000 tonnes and the 7 347 533 tonnes actually imported in 1982 according to Eurostat statistics was due to quantities exported by Thailand in the last months of 1981, i.e. before the entry into force of Thailand's undertaking, but arriving in the Community in 1982, plus quantities stored in bond in Community ports in 1981 and cleared in 1982 on the basis of import licences issued by the Community in accordance with arrangements applying in the Community before the activation of the EEC-Thailand Agreement.

Indonesia

The quantities imported fell short of the quota: 286 037 tonnes were imported, although the Agreement allowed 500 000 tonnes for 1982.

Other countries, GATT members

3 043 tonnes were imported, although 90 000 tonnes were allowed by the Agreement.

GATT non-members (China)

At the time of the adoption of Council Regulation (EEC) No 2646/82 of 30 September 1982⁽²⁾ relating to import arrangements applying in 1982 to products coming under subheading 07.06 A of the Common Customs Tariff, the quantities imported from China were already 440 181 tonnes, while the quantity due to qualify for the maximum levy of 6 % *ad valorem* was only 370 000 tonnes. No import licence conceding this advantage was issued during the rest of 1982. As a result, there were no further imports from these countries.

II. The ceilings beyond which imports no longer qualify for an *ad valorem* duty not exceeding 6 % are the following⁽³⁾:

In 1983 and 1984

Thailand: 5 million tonnes per year plus 500 000 tonnes spread over 1983 and 1984

Indonesia: 750 000 tonnes per year.

GATT members other than Thailand and Indonesia: 132 355 tonnes per year

Other GATT non-members: 370 000 tonnes in 1983.
The quota for 1984 is still to be fixed by the Council

In 1985 and 1986

Thailand: 4 500 000 tonnes per year plus 450 000 tonnes to be spread over 1985 and 1986

Indonesia: 825 000 tonnes per year

GATT members other than Thailand and Indonesia: 145 590 tonnes per year

Other GATT non-members: the quota is still to be fixed by the Council

The levy applying since 1982 to imports exceeding the ceilings mentioned under point II is the same as the levy for barley.

So far there have been no applications from importers for import licences involving application of this full levy (the levy for barley).

(1) Source: Eurostat.

(2) OJ No L 279, 1. 10. 1982.

(3) Council Regulation (EEC) No 604/83 of 14 March 1983, OJ No L 72, 18. 3. 1983, p. 3.

WRITTEN QUESTION No 449/83

by Mr Robert Moreland (ED — GB)

to the Commission of the European Communities

(31 May 1983)

Subject: Ceramic sanitary industry in Belgium

In the Official Journal No L 91 of 9 April 1983, page 32, the Commission has decided that aid granted by the Belgian Government to Boch SA must be withdrawn by 16 May 1983.

1. Is the Commission satisfied with action taken by the Belgian Government to date? If not, what action will the Commission take?
2. Is the Commission sure that aid quoted in its Decision (Bfrs 475 million) is an accurate figure as Bfrs 615 million have been subscribed by Government agencies to Boch SA since 1979?
3. Has the Commission also examined the position of Warneton Industrie SA which it is understood has also applied for Belgian State aid? Will the Commission make clear that any aid given now or in the future would be unacceptable?

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

(19 August 1983)

1. The Commission is at present examining the reply received from the Belgian authorities regarding fulfilment of Article 2 of the final negative Decision of 16 February 1983.
2. The Commission's final Decision concerned the amount of the shareholding taken by the public authorities in the relevant enterprise. This was valued at Bfrs 475 million. The Commission has learned of a supplementary aid which would have

been granted to the enterprise after the capital contribution of Bfrs 475 million.

3. The Commission is aware of a measure which would have been awarded to another enterprise of the ceramics sector mentioned by the Honourable Member. The Commission has asked the relevant Belgian public authorities to communicate the necessary information regarding any intervention in this case.

As soon as the Commission has received additional information on these points it will advise the Honourable Member accordingly.

WRITTEN QUESTION No 457/83

by Mr Michael Welsh (ED — GB)

to the Commission of the European Communities

(31 May 1983)

Subject: Cost of inputs for pig producers

1. Has the Commission considered ways of reducing the costs of cereal based feedstuffs for pig producers? What is their view of suggestions that compounders might be allowed to tender for intervention stocks of cereals which would be used for domestic production?
2. Would it be feasible to allow pig and poultry producers a rebate on the cost of the domestically produced cereal content of their feed and would this make a significant contribution to the reduction of stocks?
3. Is there any truth in the allegations that intervention prices are so attractive that at certain periods of the year there is a shortage of quality cereals for domestic compounders as cereal producers find it more profitable to sell directly into intervention?
4. Given that the feed is the most costly element in pig production does the Commission have any plans for reducing the price of feedstuffs and helping this sector which is finding it increasingly hard to operate economically?

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

(9 August 1983)

1 and 2. When making its annual price proposals to the Council, the Commission endeavours to ensure the best possible equilibrium between cereal prices and the prices of livestock products, including pigmeat. Thus, for the 1983/84 marketing year, it proposed an effective increase of 3% in the

guaranteed prices for cereals as compared with 5,5% in the basic price for pigmeat.

At the same time, the policy on the quality of cereals adopted by the Commission in previous marketing years is to be continued; this includes a narrower gap between the support price for the minimum quality of common wheat and the common single intervention price and the introduction of a reduction scale for barley.

As for the Honourable Member's suggestion that producers of compound feed should be authorized to tender for cereals held by the intervention agencies, this could cause serious disequilibrium on the cereals market in the Community.

However, for the beginning of the next marketing year the Commission has, exceptionally, in the course of the recent price negotiations, submitted a declaration to the Council under which, after consultation of the Management Committee, two to three million tonnes of intervention stock cereals would be made available for use in feed for animals, including pigs and poultry. To ensure a fair distribution of advantages among the Member States, 450 000 tonnes of fodder grain now in intervention stock elsewhere will be transferred to Italy, 50 000 tonnes to Ireland and 50 000 tonnes to Northern Ireland. The Commission stated at the time that it planned to implement this decision without delay. The details for implementation are now being dealt with by the Management Committee for Cereals.

3. The intervention price is the minimum price for cereals at which the intervention agencies must buy all grain sent to them; but the parties concerned can buy intervention cereals at a price corresponding to the market price of the region and at least 1% above the intervention price, except for special price derogations for given uses.

4. In the short term, the operation under which two to three million tonnes of cereals will be placed at the disposal of animal feed manufacturers at competitive prices, as mentioned in replies 1 and 2, should provide some assistance for pig farmers.

WRITTEN QUESTION No 461/83

by Mr Jochen van Aerssen (PPE — D)

to the Commission of the European Communities

(31 May 1983)

Subject: Veterinary provisions in respect of trans-frontier sporting and leisure activities

Persons living in border areas are increasingly subject to veterinary regulations in the pursuit of leisure activities in another country involving horses, dogs, pigeons, etc. When, for example, a horse is taken across a border, a health certificate from a recognized veterinary surgeon is required and, moreover, the animal has to undergo a further veterinary examination in the host country, although under normal circumstances it is already under veterinary supervision at home.

What measures will the Commission take to have the relevant health certificates generally recognized, or what special provisions does it plan in order to make life easier for border populations in their frequent contacts with neighbouring countries?

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

(12 August 1983)

Movements of horses, dogs and pigeons as referred to by the Honourable Member are not yet subject to harmonized Community health rules. The national provisions in force must, however, be compatible with Articles 30 to 36 of the EEC Treaty. In particular, health requirements laid down by authorities of Member States must not be excessive. The Commission, which is responsible for ensuring that Community law is applied (Article 155 of the EEC Treaty), looks into any complaints it receives.

WRITTEN QUESTION No 465/83

by Mr Willy Vernimmen (S — B)

to the Commission of the European Communities

(31 May 1983)

Subject: New Community instrument (NCI III)

At its meeting of 7 February 1983, the Council approved a new ceiling of 3 000 million ECU for the New Community instrument (NCI III).

The capital of the 3 000 million ECU in loans is to be used for the co-financing of investment projects which contribute to greater convergence and integration of the economic policies of the Member States.

Investment projects eligible for loans under NCI III include the areas of energy, infrastructure projects and SMUs and consideration will also be given to the regional impact and job creation potential of such projects.

Can the Commission indicate:

1. What type of infrastructure projects will be considered for a contribution from the NCI?

2. As regards energy reserves, whether new afforestation projects carried out by local authorities, regional governments or private individuals in Flanders are eligible for support?
3. What is the maximum contribution from the NCI (for each type of investment as a percentage of the total investment) and what special terms are offered in connection with the loans allocated (interest rate subsidies, etc.)?
4. Whether all regions of Flanders can benefit from contributions under the NCI and how many million ECU are available for Flanders?
5. Whether cooperatives are also eligible for support?

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

(9 August 1983)

1. On 13 June 1983 the Council (economic and financial affairs) decided to authorize the Commission to contract loans up to a ceiling of 1 500 million ECU to promote investment in the Community. This is the first use of NCI III.

Article 3 of the Decision states that, besides assistance to small and medium-sized undertakings and energy projects, priority will be given to financing infrastructures associated with the development of productive activities, or which contribute to regional development or which are of Community interest, such as transport and telecommunications, including information technology and the transmission of energy.

2. The NCI is a lending instrument and not a source of grants. The projects referred to by the Honourable Member, while they are not automatically excluded from the scope of the NCI, would have to be assessed case by case in the light of their conformity with the guidelines and criteria of the decisions.

3. As a general rule, the NCI's contribution may not exceed 50% of an investment. NCI loans carry no special terms, except for the interest rate subsidies paid for out of the Community budget on loans for the reconstruction of the earthquake disaster areas in Italy and Greece and on infrastructure loans in the less-prosperous countries participating fully and effectively in the EMS, i.e. Italy and Ireland.

4. All regions may benefit from assistance under the NCI but there is no geographical quota system. The NCI assists projects considered by the Commission to be eligible and by the European Investment Bank to be economically and financially sound.

5. Yes, provided that the projects they submit comply with the guidelines and criteria.

WRITTEN QUESTION No 469/83

by Mr James Moorhouse (ED — GB)

to the Commission of the European Communities

(31 May 1983)

Subject: State aids to air transport

Will the Commission outline the special considerations that concern State aids granted to the air transport sector?

Does the Commission not think that the regulation of such aids to airlines and other air transport undertakings requires immediate action if free competition is to be introduced into this sector?

When will the Commission publish guidelines concerning such State aids and what form will these take?

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

(12 August 1983)

The Commission agrees that the control of State aids is vital to civil aviation policy and is in the process of formulating guidelines on the application to it of the State aid rules of the EEC Treaty. The Commission's current intention is to include these guidelines in the memorandum on civil aviation policy which is in course of preparation.

WRITTEN QUESTION No 470/83

by Sir Henry Plumb (ED — GB)

to the Commission of the European Communities

(31 May 1983)

Subject: Consumer representation

Many representatives from consumer organizations in the United Kingdom serve on the Consumers' Consultative Committee and other Community advisory committees in a voluntary capacity and have to arrange leave of absence from their work in order to attend.

Is the Commission aware of the inconvenience caused when CCC meetings are cancelled at the last moment, as happened recently, and of the problems

caused by the length of time it takes for the Commission to pay the travel and subsistence expenses of these representatives?

What action does the Commission intend to take to improve the situation?

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

(9 August 1983)

A considerable number of committee meetings have had to be postponed because the Commission has been forced to re-schedule the meetings of all Community advisory committees to take account of the appropriations available under the budget heading concerned. The meeting mentioned by the Honourable Member was among those affected. The blocking of appropriations for these activities entered in Chapter 100, part of which was not released by the budgetary authority until 16 June, has led to inevitable delays and some cancellations.

The Commission can, moreover, assure the Honourable Member that travel and subsistence expenses are always reimbursed as quickly as possible, but a certain amount of time must be allowed for the necessary verification and control for which the departments concerned are responsible.

WRITTEN QUESTION No 478/83

by Mr Jens-Peter Bonde (CDI — DK)

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

(31 May 1983)

Subject: Installation of nuclear missiles

Do the Foreign Ministers approve of the fact that the Commission's American/English periodical, 'Europe', in its March-April 1983 issue discusses the installation of nuclear missiles? Will they confirm, with reference to the London Declaration, that the installation of nuclear missiles is a military matter which does not fall within the framework of cooperation between the Member States on foreign policy?

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

(9 September 1983)

The publication of 'Europe' is the sole responsibility of the Commission. Furthermore, as is clearly pointed out in the masthead of this periodical,

'Europe' is a forum for discussion; its contents do not necessarily reflect the views of the European Communities' institutions or of the Member States. Therefore, the Ten do not see any reason to approve or disapprove of articles published in it.

As is well known, the military aspects of security do not fall within the province of European political cooperation. On the other hand, however, as the solemn Declaration on European Union adopted by the Heads of State or Government of the 10 European Communities' Member States on 14 June 1983 clearly states, the political and economic aspects of security do lie within the scope of European political cooperation, and it is one of the objectives of the Ten to strengthen their cooperation in this field.

WRITTEN QUESTION No 483/83

by Mr Gioussè Ligios (PPE — I)

to the Commission of the European Communities

(7 June 1983)

Subject: Exchange rate applied in the transfer of pensions from Belgium to Italy

It is well known that in Belgium two separate markets exist for currency exchange transactions: one is de-controlled, the other official. The rates of exchange for the official market apply to all commercial transactions (import and export of goods) and to the payments of salaries and pensions.

Old-age pensions and those for surviving dependents paid by Belgian insurance are paid out solely in the form of postal cheques by the 'Caisse Nationale des Pensions de Retraite et de Survie' (Article 66, Royal Decree of 21 December 1967).

Does the Commission know (see attached document) that the 'Office des Chèques Postaux' is applying the free market exchange rate, which is far less advantageous than the official rate, when transferring pensions to recipients resident in Italy?

Since those involved are not entitled to have their pensions paid by bank transfer, does the Commission feel that the procedure applied by the 'Office des Chèques Postaux' is compatible with Community Regulations on social security and more particularly with Article 88 of Regulation (EEC) No 1408/71 (1)?

What does the Commission intend to do to rectify the considerable financial losses suffered by pensioners?

(1) OJ No L 149, 5. 7. 1971, p. 2.

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

(3 August 1983)

The Commission is aware of the difficulties deriving from the application in Belgium and Luxembourg of the free market rate and the official exchange rate for social security transfers to and from other Member States.

The Commission was first notified of these difficulties at the meeting of the Advisory Committee on Social Security for Migrant Workers on 22 April 1983.

The Commission intends to examine this question with the Committee and determine the consequences of these practices in Belgium and Luxembourg and will not fail to inform the Honourable Member of the findings.

WRITTEN QUESTION No 484/83

by Mr Roberto Costanzo (PPE — I)

to the Commission of the European Communities

(7 June 1983)

Subject: Family allowances for pension holders

As is obvious from the photocopied document attached, the family allowance funds in Belgium do not intend to apply the ruling by the Court of Justice in 1980 in suits Nos 773/79 (Laterza) and 807/79 (Gravina) on the pretext that there would be a contradiction with the terms of Articles 77 and 78 of Regulation (EEC) No 1408/71⁽¹⁾ which should be applied in accordance with the intentions of the Council and the interpretation given by the Court of Justice.

Does the Commission realize that similar attitudes in the national institutions undermine the authority of the Court of Justice and hinder the progress of Community social law?

How is it that the application of the aforementioned rulings by the Court of Justice should depend on the conclusions of an ill-defined Commission working party and that after almost three years the pensioners concerned are still waiting for a satisfactory outcome?

What does the Commission intend to do to settle this problem quickly?

⁽¹⁾ OJ No L 149, 5. 7. 1971, p. 2.

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

(18 August 1983)

The Administrative Commission on Social Security for Migrant Workers which — far from being an ill-defined working party — is the body specifically established to assist the Commission in the implementation of Community law in this complex field, adopted a Decision on 20/21 April 1983 which lays down the procedures for implementing the rulings of the Court referred to by the Honourable Member in all Member States.

The delay is explained by the fact that it was necessary in the first place to clarify the scope of these rulings and their full implications for all Member States, not only for those Member States directly involved, taking full account of the great diversity in the legislation of the Member States in this field. The Decision will in any case be given retroactive effect, subject to certain minor limitations made necessary by the different technical and legal situations prevailing in the Member States.

WRITTEN QUESTION No 494/83

by Mr Yves Galland (L — F)

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

(7 July 1983)

Subject: Children — Iranian soldiers

Can the Foreign Ministers confirm that today in Iran, in 1983, thousands of hapless children are prised away from their families, forced to undergo pro-Khomeini training and sent virtually unarmed to the Iran-Iraq war front. The rare survivors are taken prisoner and put into Iraqi camps at an age when theoretically they should be totally ignorant of war.

If this information is accurate, do not the Foreign Ministers feel that the international community and the European Community in particular cannot remain passive in the face of the misfortune of these adolescents and that it is their duty to speak out?

**Answer by the Foreign Ministers of the 10 Member
States of the European Community
meeting in political cooperation**

(9 September 1983)

To the knowledge of the Ten, the reports about children fighting at the Iran-Iraq war front have not

yet been officially confirmed by reliable and verifiable sources.

The memorandum of the International Committee of the Red Cross on the situation of prisoners of war in Iraq and Iran does not mention any facts confirming the reports that children have been taken prisoner and put into Iraqi camps. The Ten have repeatedly appealed to Iraq and Iran to bring the conflict, which has caused heavy losses to the civilian population as well, to a speedy end.

WRITTEN QUESTION No 500/83

**by Mrs Renate-Charlotte Rabbethge (PPE — D)
to the Commission of the European Communities**

(7 June 1983)

Subject: Programme of research and development in the field of science and technology for development 1982 to 1985 (Doc. 1-271/81 — COM(81) 212 final)

1. What is the position at present with regard to the overall programme of work?
2. What preparations is the Commission making to ensure that the eventual results of the research programme are duly passed on to the developing countries in accordance with their interests?

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

(24 August 1983)

1. On 3 December 1982 the Council adopted for the Community a programme of research and development in the field of science and technology for development in the field of science and technology for development for the years 1983 to 1986. (1)

The two advisory committees provided for in Article 3 of this Decision for the two sub-programmes of 'Tropical agriculture' and 'Medicine, health and nutrition in the tropics' have since been set up and met for the first time on 23 and 30 March 1983. On 17 May 1983 the Commission published a call for proposals (2). The final date for submitting these proposals was set at 15 July 1983, and they may be either from institutions in the Member States or from institutions in developing countries.

2. Communication to developing countries of information gained from the programme is governed by Article 5 of the Council Decision, which authorizes transmission without restriction. Article 5 (2) stipulates that rules governing

ownership, the obligations of the Community and, where applicable, of the contractor, with regard to inventions, whether or not patentable, resulting from research or work done under contract, shall be defined case by case in the contracts.

Working in conjunction with the contractors, the Commission also sees the possibility of introducing training courses for nationals from developing countries which would thus facilitate the communication of information.

(1) OJ No L 352, 14. 12. 1982.

(2) OJ No C 130, 17. 5. 1983.

WRITTEN QUESTION No 501/83

**by Mr Gordon Adam (S — GB)
to the Commission of the European Communities**

(7 June 1983)

Subject: Use of psychotropic drugs

Will the Commission carry out a study to examine the suitability of the use of these drugs in hospitals?

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

(24 August 1983)

Psychotropic drugs are widely used for a number of conditions, and the clinical indications for their use vary considerably.

Each decision to prescribe such a drug is the responsibility of the physician in charge of the case.

Several studies on the use of psychotropic drugs have been carried out. The Commission does not plan any further studies at this time.

**WRITTEN QUESTION No 506/83
by Mr Rudolf Wedekind (PPE — D)
to the Commission of the European Communities**

(7 June 1983)

Subject: Data protection in the Community

Can the Commission provide information on the arrangements for data protection in the Member States of the Community?

Is the Commission also able to say whether there are plans for a regulation to harmonize these arrangements?

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

(9 August 1983)

Some Member States have legislation affording protection against the abuses which may arise from the processing of personal data, whilst others are still preparing such legislation. In four Member States, specific legislation is already in force:

- (i) In the Federal Republic of Germany, after several Laender had promulgated local legislation, on 27 January 1977 the Federal legislature enacted the 'Gesetz zum Schutz von Missbrauch personenbezogener Daten bei der Datenverarbeitung' (1), which entered into force in 1978;
- (ii) In France, Law No 78—17 of 6 January 1978 'relative à l'informatique, aux fichiers et aux libertés' (2) and Decree No 78—774 of 17 July 1978 (3) govern the protection of personal data. In November 1979, the National Commission on Data Processing and Liberties published a notice on the automatic processing of personal data;
- (iii) In Denmark, the 'Lov om private registre' No 293 of 8 June 1978 (4) and the 'lov om offentlige myndigheder' No 294 of 8 June 1978 (5), both of which entered into force in January 1979, protect personal data which relate to natural and legal persons and form the subject matter of automatic processing in both the public and the private sectors;
- (iv) In the Grand Duchy of Luxembourg, the Law of 31 March 1979 (6) governs the use of personal data in data processing.

Other Member States have begun the preparation of national legislation.

Thus, on 30 November 1981 a draft law was published in the Netherlands on the protection of personal data in the context of data processing, and in December 1982 a preliminary draft law was produced in Italy on the management of automatic data banks containing personal data.

In the United Kingdom, a Bill was introduced into Parliament in April 1982. In Belgium, a preliminary draft law has been submitted to the Conseil d'Etat for examination.

Following the Council of Europe Convention No 108 for the protection of individuals with regard to automatic processing of personal data, which was opened for signature on 28 January 1981, the Commission on 29 July 1981 adopted recommendation 81/679/EEC (7), recommending

all Member States to sign and ratify this Convention by the end of 1982.

At the present time, only one Member State — France — has ratified this Convention, whilst eight have signed it: Belgium, Denmark, the Federal Republic of Germany, France, Greece, Italy, Luxembourg and the United Kingdom.

As regards the question whether the Commission should propose to the Council an instrument based on the EEC Treaty, the Honourable Member may wish to refer to the recent debate on the occasion of the discussion of Oral Question No O-173/82 by Mr Sieglerschmidt and Mr Glinne concerning the data processing programme and the protection of the rights of the individual in the face of technical developments in data processing (8), where the Commission had occasion to express its views on this subject.

(1) BGBl I. 201.

(2) JORF, 7 January 1978.

(3) JORF, 23 July 1978, p. 2906.

(4) Lovtidende A No 293, 8 June, pp. 833 to 838.

(5) Lovtidende A No 294, 8 June, pp. 839 to 844.

(6) Mémorial: Recueil de Législation A No 29, 11 April 1979, pp. 582 to 588.

(7) OJ No L 246, 29. 8. 1981, p. 31.

(8) Debates of the European Parliament, No 1-297 (April 1983).

WRITTEN QUESTION No 509/83

by Mr Rudolf Wedekind (PPE — D)

to the Commission of the European Communities

(7 June 1983)

Subject: Irregular working hours and shift work

Is the Commission aware of the effects on people of irregular working hours and can it also provide information on the incidence of shift work in the Community and propose measures that would reduce the potential risk?

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

(24 August 1983)

Shift work and irregular working hours are of great importance to the functioning of a number of industries. Data on the nature and extent of shift work and on its effects on individuals have been gathered and analyzed in depth by the European Foundation for the Improvement of Living and Working Conditions in Dublin.

Tables in the review of the Foundation's research into shift work 1977-1980⁽¹⁾ which give an indication of the extent of shift work in the Member States will be sent directly to the Honourable Member and to the Secretariat General of the European Parliament. These tables show that about 20% of employees in the secondary and tertiary sectors were on shift work and related forms of work.

The Commission does not at present intend to make specific proposals in this area. It takes the view that, given the complexity of the issues and the need for differentiated solutions depending on the precise circumstances in question, action can most appropriately be taken at the level of national governments and the social partners.

The Commission is, however, of the opinion that many of the problems arising from shift work can be alleviated by certain forms of reorganizing working time⁽²⁾, e.g. by the introduction of a fifth shift or possibly by rearranging working time patterns during the daytime. The proposals which the Commission is preparing with a view to establishing a Community framework for a general policy on the reduction and reorganization of working time could therefore have a positive effect in mitigating the problems connected with shift work.

The Commission is presently studying the protective labour legislation of the Member States in so far as it provides for the different treatment of men and women in working life, in order to determine which protective measures could now be abolished on the grounds that the concern for protection which originally inspired them is no longer well founded according to the relevant provisions of Directive 76/207/EEC (Articles 3 (2) (c) and 5 (2) (c))⁽³⁾.

(1) Review of the European Foundation's Research into Shiftwork 1977-1980; The Effect on Living and Working Conditions and Recommendations for Improvements, April 1982.

(2) Memorandum on the Reduction and Reorganization of Working Time — Doc. COM(82) 809.

(3) OJ No L 39, 14. 2. 1976.

WRITTEN QUESTION No 523/83

by Mr George Patterson (ED — GB)

to the Commission of the European Communities

(9 June 1983)

Subject: Introduction of a variable levy on the import of hops from third countries in place of current import duty

In view of reports that Chinese hops are being offered on the world market at prices only one-third

of that required to ensure a reasonable return for Community producers, will the Commission introduce a variable levy on the import of hops from third countries in place of the current 9¹/₂% import duty?

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

(5 August 1983)

The Commission can confirm that offers of hops have been observed from the People's Republic of China and, for small quantities, certain other third countries, at prices which are substantially below the levels generally prevailing during the current marketing year for hops on the spot market (i.e. not bound under long-term contract).

The Honourable Member will be aware of the depressed state of this market which has been induced by the exceptionally heavy world harvest of 1982, against the background of a structural excess of area in the world largely resulting from ill-judged expansion in the United States in particular since 1980. The result has been sluggish sales at very low spot market price levels in the Community as well as in the United States, accompanied by a substantial increase in brewers' stock levels encouraged by the new attractive prices.

It is clear that in this situation, i.e. very much a 'buyer's market', the question of quality decides very largely which hops a brewer finally prefers. At uniformly low price levels on the world market, the Community product, thanks to the strict Community certification system, which has reinforced and protected the latter's place on the market, enjoys an undoubted advantage. This has contributed to the fact that imports until now have not, according to the Commission's information, increased in quantity to a significant extent. A further cause is the high proportion of Community production which is guaranteed an outlet under existing long-term delivery contracts.

Finally, the Community's exports amount usually to more than double its imports, more than 40% of production being exported outside the Community.

Given the characteristics of this market as set out above, the Commission inclines to the view that the institution of measures of protection at the frontier, whether temporary or permanent, is not likely to be effective in maintaining acceptable price levels to producers. Given the very high degree of dependence of the Community industry on exports, moreover, the latter is felt to be particularly vulnerable to counter-measures which a small number of very large recipient countries, who

however are also significant exporters to the Community, would be likely to take against any attempt to isolate the Community from the world market.

The Commission can nevertheless confirm that it is maintaining close observation of the market for this product including regular contacts with market operators in the relevant third countries, and in the event of a significant worsening, in particular following the 1983 harvest, will not fail to consider urgently what measures it could appropriately adopt or propose to the Council as the case may be.

WRITTEN QUESTION No 524/83

by Mr George Patterson (ED — GB)
to the Commission of the European Communities

(9 June 1983)

Subject: The rights of citizens of Gibraltar

1. Do citizens of Gibraltar, born in Gibraltar, now enjoy exactly the same rights of free movement under the Treaties as citizens of the United Kingdom?

and

2. Under what circumstances may Member States, including the United Kingdom, deport such Gibraltarians?

Answer given by Mr Thorn
on behalf of the Commission

(8 August 1983)

As the United Kingdom is responsible for the external relations of Gibraltar and as the exemptions foreseen by Article 28 of the Act of Accession of 1972 refer only to agricultural products and harmonization of turnover taxes, citizens of Gibraltar enjoy in principle the same rights of free movement within the Community as citizens of the Member States. Within the limits of Council Directive 64/221/EEC⁽¹⁾ Member States are, however, entitled to make exemption from the principle of freedom of movement on grounds of

public policy, public security or public health with respect to all persons to whom the EEC Treaty applies.

⁽¹⁾ OJ No 56, 4. 4. 1964, p. 850/64.

WRITTEN QUESTION No 525/83

by Mrs Beate Weber (S — D)
to the Commission of the European Communities

(9 June 1983)

Subject: Charges for the use of kindergartens in the Member States

In answer to my Written Question No 866/82⁽¹⁾, the Commission stated that it would make further enquiries in the matter of charges for the use of kindergartens and pre-school education and communicate the results as soon as they were available.

1. Have these enquiries now been carried out?
2. Do the results show whether and, if so, to what extent, the Member States impose direct charges on parents for pre-school education services?

⁽¹⁾ OJ No C 291, 8. 11. 1982, p. 9.

Answer given by Mr Richard
on behalf of the Commission

(25 August 1983)

The detailed enquiries launched by the Commission in response to the Honourable Member's Written Question No 866/82 are continuing, but the following elements are already clear:

Free pre-school education is widely available through the public and State funded education system in Belgium, France, Italy, Luxembourg and the Netherlands.

Private structures also exist although the financial conditions under which they function vary widely both within and between the countries mentioned.

In the other Member States pre-school education is available to an extent which varies so widely that few generalizations are satisfactory.

The extent, source and method of public subsidy to private structures, which in some Member States are very significant, also varies considerably.

In so far as parental contributions are required, although it is not possible to give specific information at this stage, it can be said that these are not always based on parental income.

court is systematically and deliberately unprepared to comply with Article 177 of the EEC Treaty (4).

(1) OJ No 270, 8. 11. 1967, p. 2.

(2) OJ No C 20, 14. 2. 1970, p. 3

(3) OJ No C 71, 17. 7. 1968, p. 1.

(4) Cf. answer to Written Question No 608/78 by Mr Krieg — OJ No C 28, 31. 1. 1979, p. 8.

WRITTEN QUESTION No 526/83

by Mr Alan Tyrrell (ED — GB)

to the Commission of the European Communities

(9 June 1983)

Subject: The Acte Claire doctrine

Having regard to the decision of the European Court of Justice on 6 October 1982 in Cilfit Srl v. Ministry of Health (Case 283/81) (1) to the effect that national courts should refer points concerning the interpretation of Community law to the European Court of Justice unless the correct application is so obvious as to leave no scope for any reasonable doubt, what system does the Commission intend to use to see that national courts apply this test, and does it regard Article 169 of the EEC Treaty as giving it adequate powers to see that this provision is observed?

(1) OJ No C 296, 12. 11. 1982, p. 4.

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

(25 July 1983)

As already stated in the answers to Written Questions Nos 100/67 (1) and 349/69 (2) by Mr Westerterp and to Written Question No 28/68 (3) by Mr Deringer, the Commission does not in principle exclude the possibility of initiating an infringement procedure where a national court has ignored the scope and conditions of Article 177 of the EEC Treaty. However, in the Commission's view this procedure does not provide the most effective basis for cooperation between national courts and the European Court of Justice.

The procedure laid down in Article 169 of the EEC Treaty was not conceived as a means of reviewing judgments of national supreme courts. For this reason the Commission has repeatedly stated that infringement proceedings in respect of such judgments can only be considered when a judgment by a court of last instance shows clearly that that

WRITTEN QUESTION No 527/83

by Mr Pierre-Bernard Cousté (DEP — F)

to the Commission of the European Communities

(9 June 1983)

Subject: Community trade in textiles

If the European Commission has achieved any progress within the Working Party on Reciprocity in Trade in Textiles, can it indicate, using figures and examples, to what extent its efforts have resulted in a lowering of the prohibitive customs duties imposed by certain Latin American and South-East Asian countries on imports of textiles and clothing from the Community?

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

(1 August 1983)

The informal working party dealing with the question of market access was set up by the Commission and representatives of the textile and clothing industries in June 1980 to look at the various quantitative restrictions and tariff or non-tariff barriers facing Community exporters of textiles to non-Member countries. Its main aim was to supply information to be used in the negotiations for the third Arrangement regarding International Trade in Textiles, not to pave the way for separate negotiations on tariff cuts with Latin American or South-East Asian countries. One thing which emerged from this work was that the situation was by no means the same everywhere. A number of countries such as Hong Kong, for instance, levy no duties, but elsewhere the extent of import restrictions and other non-tariff barriers to trade is far from clear. The industry representatives were invited to supply further evidence of actual problems encountered on these markets.

At all events, the Commission is working closely with the textile and clothing industry representatives

to complete and update an inventory of tariff and non-tariff barriers so that suitable action could be taken if necessary.

The Community has urged that the work currently going on in GATT on the development of the world trade in textiles and clothing should take account not only of restrictions imposed by the industrialized 'importing' countries but of restrictions of all kinds, including those imposed by a number of developing 'exporting' countries.

WRITTEN QUESTION No 544/83

by Mrs Yvette Fullet (S — F)

to the Commission of the European Communities

(21 June 1983)

Subject: Situation of Guatemalan refugees in Mexico

We are disturbed to learn from a communiqué issued by the Guatemalan embassy in Washington on 24 February 1983 that the Government of Guatemala intends to repatriate Guatemalan nationals who have taken refuge in Mexico and has requested assistance to this effect from the United Nations High Commission for Refugees, the Mexican Red Cross and the Mexican Government. The Mexican Foreign Affairs Minister has already rejected this request on behalf of his Government.

Furthermore, an invitation to the Guatemalan refugees in Mexico to return home, accompanied by an offer of every guarantee as to their safety, has been made by the Consul of Guatemala to the Comitán Chiapas region.

However, the European Commission most certainly realizes that the repeated raids on refugee camps in Mexico by the Guatemalan army and other paramilitary groups from Guatemala leave no doubts as to the Guatemalan Government's intentions concerning the refugees. The violations of human rights committed in Guatemala and, in particular, the treatment meted out to the Indian peasants, have already been condemned, amongst others, by non-governmental organizations, the United Nations and the European Parliament.

For these reasons we can have no faith in these invitations.

Does the Commission not consider that:

1. the European Communities should adopt a position on the question of repatriation;

2. the Communities should make representations to the authorities concerned with a view to ensuring that repatriation does not take place?

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

(17 August 1983)

The Commission was fully associated with the reply given by the Foreign Ministers meeting in political cooperation to Written Question No 40/83 by Mr Galland ⁽¹⁾ in which the Ten expressed their concern about the situation of the Guatemalan refugees and expressed their support for the activities of the UN High Commissioner for refugees on this problem. The Commission, in association with the Member States, will continue to follow this question closely and will consider with the Member States what action might be appropriate.

⁽¹⁾ OJ No C 177, 4. 7. 1983, p. 26.

WRITTEN QUESTION No 547/83

by Mr Horst Seefeld (S — D)

to the Commission of the European Communities

(21 June 1983)

Subject: Spectacles

Is the Commission aware that the supply of spectacles in the United Kingdom is controlled by a monopoly with the result that prices are about double those elsewhere in the EEC?

What action does the Commission propose to take to end this monopoly and reduce prices?

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

(11 August 1983)

The Commission is aware of the existence in the United Kingdom of a statutory limitation for the sale of optical appliances by virtue of the Opticians Act 1958 to registered medical practitioners and opticians.

In view of public concern in the United Kingdom at the high price of private spectacles, the operation of this statutory limitation on the sale of spectacles and contact lenses and accompanying rules such as those relating to restrictions on advertising were recently scrutinized by the United Kingdom Office of Fair Trading, notably their effects on competition and therefore prices in this sector ⁽¹⁾.

One of the conclusions of this report is that it is the advertising restrictions which cause prices in this sector to be significantly higher than they otherwise would be. No conclusions are, however, drawn as to how prices in the United Kingdom compare with those in other countries.

To the extent the price level in the United Kingdom is influenced by a valid national regulation, which is applied without any discrimination *vis-à-vis* interested parties from other Member States, this matter would appear to be one of national and not Community competence.

Action by the Commission on the basis of the EEC Treaty's competition rules would only be possible if there is evidence of restrictive behaviour by enterprises which affects trade between Member States, for example when high prices in a particular Member State are maintained because lower priced imports are impeded.

At Community level, the Commission is at present examining the spectacle sector as a whole in the context of the competition rules.

(1) See Opticians and Competition, A report by the Director General of the Office of Fair Trading on Sections 21 and 25 of the Opticians Act 1958, December 1982. See also 12th Report on Competition Policy, point 144.

WRITTEN QUESTION No 549/83
by Mr Rudolf Wedekind (PPE — D)
to the Commission of the European Communities

(21 June 1983)

Subject: Lack of animal protection in 'amusement-park' menageries

Is the Commission aware of the deplorable conditions in which falcons, eagles, owls and vultures held in small aviaries in many parts of Europe, particularly those of the 'amusement-park' menagerie kind, have to live and does it not consider that, to ensure the welfare of these creatures, only qualified staff should be employed by such establishments?

What measures does the Commission propose to take in order to protect these animals from ill-treatment?

Answer given by Mr Dalsager
on behalf of the Commission

(25 August 1983)

The Commission does not have information concerning the manner of keeping birds of the species referred to by the Honourable Member.

As such a matter does not affect trade or production within the Community, the Commission is not in a position to propose any measures in this regard. However it points out that according to Directive 79/409/EEC on the protection of wild birds (1) trade in these species is prohibited.

(1) OJ No L 103, 25. 4. 1979.

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.

Contents:

Section 1: General matters

Section 2: Interpretation and application of the substantive rules of Community law

Section 3: Information on the development of Community law

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